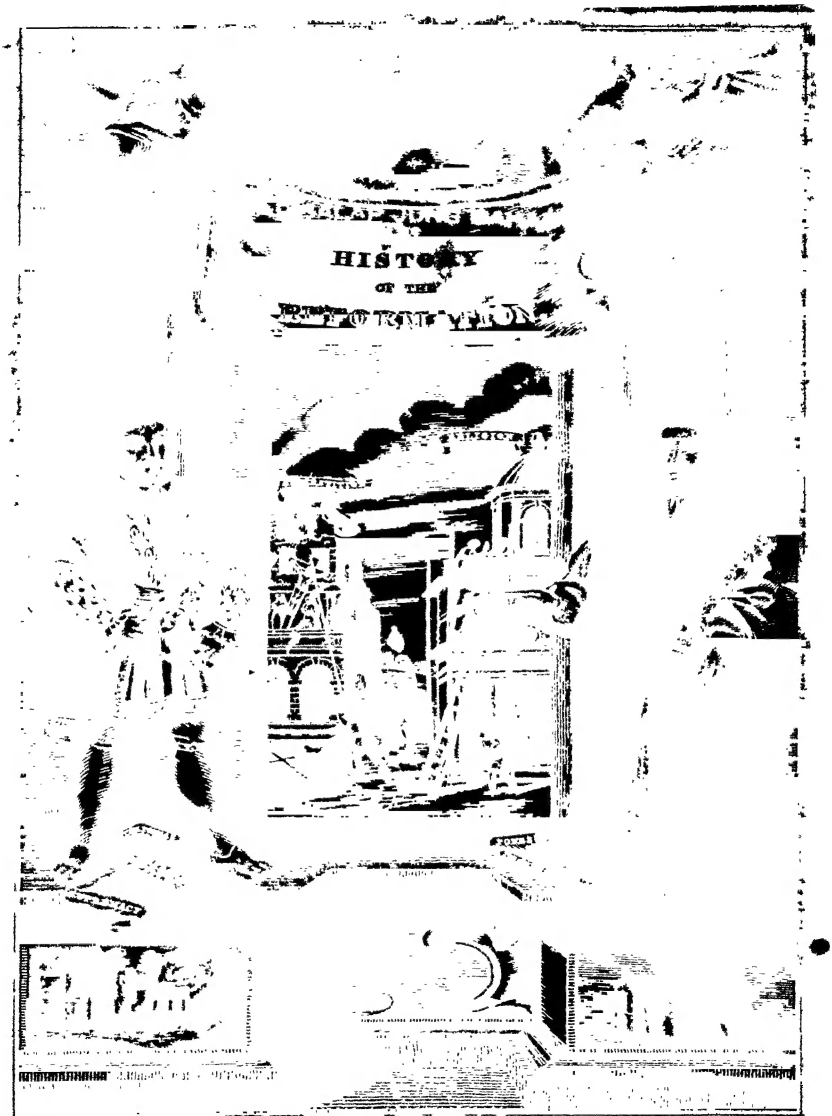
E.W.1628

BISHOP BURNET.



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THE

HISTORY

OF

THE REFORMATION

OF THE

CHURCH OF ENGLAND.

BY GILBERT BURNET, D.D.

LATE LORD BISHOP OF SALISBURY

WITH THE COLLECTION OF RECORDS, AND A COPIOUS INDEX.

REVISED AND CORRECTED, WITH ADDITIONAL NOTES, AND

A PREFACE

CALCULATED TO REMOVE CERTAIN DIFFICULTIES ATTENDING THE PERUSAL OF THIS IMPORTANT HISTORY, BY

THE REV. E. NARES, D.D.

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WITH A FRONTISPIECE, AND TWENTY-TWO PORTRAITS.

IN FOUR VOLUMES.

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THE

HISTORY

REFORMATION.

PART I.

OF THE PROGRESS MADE IN IT DURING THE REIGN OF HENRY VIII.

PREFACE

BY THE REV. DR. NARES.

OFTEN as this celebrated History of the Reformation of the Church of England has been printed and published, often as it has been read, and continually as it has been referred to by successive writers, interested in the important subject of which it treats, yet one thing seems to have been constantly overlooked, namely, the necessity of a distinct Preface, to point out and explain to readers in general, the peculiar method, as well as the particular character of the publication. It is a work of too great magnitude to be often or repeatedly read through, and though its eminence as an historical work, must always be such, as to render it imperatively necessary with certain writers to consult its pages; yet, in every reprint of it, it should be contemplated by the publisher, not merely as a book of reference, though for such purposes, I shall have to shew that a preface like the present is much wanted, but as one to be read like other books of history regularly from the beginning to the end; not by professed scholars only, or by persons already versed in history, civil or ecclesiastical, but by such as may be only beginning their historical inquiries and researches; young readers, and mere students. Any helps therefore to such readers, cannot be misapplied, and ought not to be looked upon as superfluous.

Scarcely any other book of equal importance, perhaps, stands so much in need of preliminary explanation, as this great work of the celebrated writer whose name it bears.—There are, it is true, regular and distinct Prefaces to every volume, written by the learned Author himself· but, it may be asked,

how is the reader of the first and second volumes, to know, till he comes to it, according to the ordinary mode of reading, that the *third* volume, is, as it were, quite a separate work—altogether supplementary, and in point of composition, of a date, not less than thirty-three years later than the two preceding volumes? of which preceding volumes also, it is, in a great degree, *corrective*, so as to render its contents little less than vexatious and mortifying to those, who may, unaware of the circumstance, have already given implicit confidence to the contents of the first two volumes. It must often, we should think, have been a matter of just surprise to the readers of this history, to discover, that on arriving at the third volume, they have had only to travel again over the same ground, and even to *un*read, as it were, much of what they had read before.

Nor is this all,—for in most of the editions hitherto published, no fewer than six papers have been added, *at the very end* of the third volume, of *corrections*, *criticisms*, *&c.* addressed to the Author himself, and still placed, therefore, where he originally left them. Whereas, one would think, the simpler method would have been, in all subsequent editions, to have corrected the text itself by help of these papers; the value and importance of them to a certain extent, having to all appearance been admitted by the Author.* In the edition, published in the year 1820, something of this kind was however attempted, by incorporating, or supplying in short notes, the corrections of mistakes in the two first volumes, sent to the Author by Mr. Granger, being the first of the six papers to be found in other editions, but which is now omitted in the appendix to this edition, as no

* It is indeed quite remarkable, that this method had even been suggested to Burnet himself, and that his only reason for not adopting it was, that it might lessen the value of such impressions of his work as had been previously bought up by the public.—[See the Introduction to vol. III.]

longer necessary. I shall give a few instances of these corrections, to shew, how preposterous it must have been, to compel the reader, according to the common mode of printing the work, to read quite to the end of it, in order to discover the errors that had been committed.

Who would suppose, for instance, that while Burnet was yet alive, he had been admonished of an error into which he had fallen, in speaking of the Council of Trullo, (or *in Trullo* as it should rather be*) as a council holden in the *fifth* century, whereas it took place, in reality, not till the very end of the *seventh*, or beginning of the *eighth* century? Still however the original mistake has been repeated again and again in the *text*, in various editions, and the *correction* reserved for the *addenda* or appendix at the very end of the work. In the present edition the text will be found to be corrected as it should be, and the correction sent to the author, omitted.

Among the bishops who refused to take the oath of supremacy in the year 1559, Burnet had reckoned Christopherson of Chichester; but that curious and diligent antiquary and historian Strype, had discovered by comparing dates, that Christopherson was dead at the time. In the present edition, this very simple correction has accordingly been adopted in the text, and the name of that prelate omitted, though in other editions, the name will still be found in the text of the second volume, and the corrections, which had been sent to the Author himself, in almost the *last* page of the *third* volume!—Other corrections

* This was in fact a Constantinopolitan Council, called together by Justinian, and holden in a Council-chamber called *Trulla* or *Trullo*, or, according to Cave, "*in Secretario Imperiali quod Trullus Appellatur*," an ambiguous name. See Ainsworth's Dict. art. *Trulla*, and Οικος in the Lexicons. It was, according to Cave, a proper Œcumenical Council, at which 227 bishops at least were present, some say 240. "Its tenets," says Walch, in his history of the Popes, "related to church discipline, some of them were very prudent, reasonable, and just, but therefore unfavourable to the selfish tenets of the Roman church."

have been adopted or set aside as unnecessary, so that, of the *six* papers to be found in other editions, three only are retained in the *present*. What Burnet himself says, of the *fourth* of those papers, in his Preface to the third volume, may account for the omission of that in particular, but the candid manner in which he acknowledges his obligations, to those who had civilly and dispassionately supplied him with corrections does him credit. "These corrections," says he, in the Preface to his second volume, "I publish at the end, being neither ashamed to confess my faults, nor unwilling to acknowledge from what hand I received better information. My design in writing is to discover truth, and to deliver it down impartially to the next age; so I should think it both a mean and criminal piece of vanity to suppress this discovery of my errors, and though the number and consequence of them had been greater than it is, I should rather have submitted to a much severer penance, than have left the world in the mistakes I had led them into." In the character given of him by his contemporary, Lord Halifax, we have the following encomium upon this head: "He is not quicker in discerning other men's faults, than he is in forgiving them; so ready, or rather glad to acknowledge his own, that from blemishes they become ornaments." The praise would have been more just, had the corrections been better managed, but however candid the Author may have been in acknowledging his faults, when told of them in a civil and friendly manner, the mistakes and corrections have to this day, been commonly kept at so great a distance from each other, as rather to double the blemishes, than convert them into ornaments. I have already adduced some striking instances, and shall have more to bring forward.

All the three volumes were in truth published

separately; the first in the year 1679; the second in the year 1681; and the third or supplementary volume, not till the year 1714. In 1682, Burnet himself published an abridgment of the first two volumes. As the third volume however, which was abridged by his son about the year 1719, is now known to be supplementary, the way to read the work properly, as it is commonly printed, should perhaps be as follows: to read the Preface to the first volume, and the Preface and Introduction to the third, and to look to the years in the third volume, in order to compare them with the correspondent years in the first; and in the perusal of the first volume, to attend regularly as they occur, to the *marginal references* pointing to the *addenda* at the end of *that* volume, now carefully supplied, but which had been accidentally omitted in a former impression. The Preface to the *second* volume, and reference to the corresponding years in the third, would of course follow in the same order.—In this manner, Burnet's whole history might be read as *one* work, which it can scarcely be called, when the three volumes are read only in succession.

For the *first* volume the Author received the thanks of both houses of Parliament, being urged at the same time to complete the work. The *second* volume was also received by the public, not with the same distinguished, yet with very general approbation. The third, according to Nicholson, very well supplied the defects in Heylin's History of the Reformation. In the History of his Own Times, Burnet relates that being at Paris in 1683, the Prince of Conde, who had read his History of the Reformation in French, seemed pleased with it, as was the case with many of the great lawyers, particularly Harlay, then Attorney General, who having some reason to expect a rupture with the Court of Rome at that time, openly

asserted, that in the History of the English Reformation they had a good plan to copy from, vol. ii. p. 182, 3.

It is pretty generally known, that the Right Reverend Author of the History of the Reformation of the Church of England, has always lain under two imputations, which it may not be amiss to notice here; the one, that of being a loose and careless writer, the other, that of writing under the influence of strong prejudices. In the notes to Archbishop Laurence's Bampton Lecture Sermons, 1805, some very extraordinary oversights having been noticed, the learned Author observes, "I have been the more particular on this occasion in pointing out the inaccuracies of Burnet, because he seems in general to have been too implicitly trusted, misleading perhaps subsequent writers by his loose style and looser statements, more than any other historian." It is scarcely necessary I hope to say, after this, that the particular inaccuracies alluded to by the Archbishop in the above stricture, have been duly attended to in the present edition; but I must repeat what I have before said, as some palliation of the Bishop's failings, that no writer could ever more candidly or ingenuously acknowledge his own faults, than Burnet has done; he confesses, that in some instances, he was doubtless too *hasty*, answering for the contents of papers without due examination, and thereby mistaking one public document for another. This cannot be called indeed any thing like a *satisfactory* apology for such transgressions in an historian; but for his haste, the chief cause of such slips and oversights, there seems to have been some excuse, it appearing that he had been strongly, and rather on a sudden urged by others to engage in the undertaking, in order, if possible, to remove the false and injurious impressions made on the minds of many of his *contemporaries*.

against the Reformation itself, as well as in depreciation of the characters of our early reformers, by a revival of the calumnious and foul aspersions of the papistical Sanders, in his well-known work, *de Schismate Anglicano*, of which a French translation had just appeared and was much cried up.—See our Author's Preface to vol. i. and Introduction to vol. iii. It appears to have been Bishop Lloyd who first engaged him in the design, (Preface to vol. ii.) and from that learned Prelate, as well as from Archbishop Tillotson and Bishop Stillingfleet, he professes to have received every friendly assistance in the revisal of his papers. In the Preface to the second volume, a full account is given of the Author's obligations to private friends, and an admirable view taken of the course and progress of the Reformation, the difficulties that stood in its way, the abuses it had to remove or correct, and the insurmountable impediments that occurred, in the endeavour on the part of the government, to produce a perfect uniformity of doctrine, discipline, and worship. On which account, this Preface perhaps cannot be read too soon, though placed only before the *second* volume, three years posterior to the publication of the first

As to the Author's carelessness in examining original documents, and certain errors into which he fell from want of regular access to them, he very plainly tells us how all this happened, and the restrictions he lay under, particularly at the commencement of his labours; and historians in general, it should be remembered, had not the opportunities of rendering their works so accurate *then* as is now the case. He was certainly not always very happy in correcting himself, so that some authors have fancied they had detected oversights, when in truth, in some other parts of his book, such apparent mistakes are accounted for by the Bishop himself. An instance of

this is to be found in the following reference of a very modern writer, Mr. Hallam, in his late work entitled "The Constitutional History of England," from Henry VII. to George II.—1827.

"The principal authority on the story of Henry's divorce from Katherine is Burnet, in the first and third volumes of his History of the Reformation; the latter correcting the former from additional documents. Strype, in his Ecclesiastical Memorials, adds some particulars not contained in Burnet, especially as to the negotiations with the Pope in 1528; and a very little may be gleaned from Collier, Carte, and other writers. There are few parts of history perhaps that have been better elucidated. *One* exception perhaps may yet be made: the beautiful and affecting story of Katherine's behaviour before the Legates at Dunstable is told by Cavendish and Hall, from whom later historians have copied it. Burnet, however, in his supplemental volume, p. 46, disputed its truth, and on what should seem conclusive authority, that of the original register, whence it appears that the Queen never came into Court but once, June 18, 1529, to read a paper protesting against the jurisdiction, and that the King *never* entered it. Carte accordingly treated the story as a fabrication. Hume of course did not choose to omit so interesting a circumstance; but Dr. Lingard has *pointed out* a letter from the King, which Burnet *himself* had printed, vol. i. Appendix No. 28, mentioning the Queen's presence as well as his own on June 21st, and greatly corroborating the popular account. To say the truth, there is no small difficulty in choosing between two authorities so considerable, if they cannot be reconciled, which *seems impossible:* but, upon the whole the preference is due to Henry's letter, dated June 21, as he could not be mistaken, and had no motives to mistake."

Now we may fairly conclude from this note, which is selected solely for the sake of illustration, that two such eminent writers as Mr. Hallam and Dr. Lingard could only have been led into the mistakes *they appear* to have made, by the confused, loose, and dispersed manner, (if I may so say) in which Burnet's corrections of *himself*, are introduced in the several parts and volumes of his history. For, though indeed in the 70th page of the third volume of the present edition, Burnet will still be found to assert, not only that the Queen never came into the Court after the 18th, but that the King was never in it; and that thence "it is *clear*, that the speeches that the historians have made for them, are all plain falsities:" and though Dr. Lingard's remark upon King Henry's letter of the 23d of June, 1529, be very correct, as to its contents, and as to the fact of its being "published by *Burnet himself*," yet he would not be justified for taking to himself the credit of the *discovery* of this royal contradiction of Burnet's original assertion, since it *may be seen*, that in the Preface to his third volume, Burnet had corrected his *own error* by this *very letter of the King*, and endeavoured very fairly, and perhaps very reasonably to do, what Mr. Hallam pronounces to be "impossible," namely, to reconcile the letter with the record of the court, on which he had at first implicitly relied.

But the most extraordinary circumstance in the case, and one for which it seems to this day extremely difficult to account, is this; that even in the first volume, p. 117, under the year 1529, Burnet will be found to correct Lord Herbert upon this very point, by express reference to the *same letter* of the King, inserted in his Appendix, or Collection of Records, No. XXVIII, from the Cottonian MSS. Vitellius, B. 11. he even enters into all the particulars of the appearance of both the King and Queen on

the 21st, and relates, or at least abridges, the speeches —he fairly indeed acknowledges, though with some distrust of Hall, that he believes the speeches were really spoken; and in his own abridgment of his history, a sixth edition of which, published in the year 1728, is now lying before me, the story is told conformably to the King's letter. Dr. Lingard, it should be observed, alluding to the passage in the third volume, only says, "that Burnet had *forgotten* a letter published by himself in his first volume from the King to his agents, in which Henry says: On that day, we and the Queen appeared in person."—It was certainly a strange instance of forgetfulness, when upon this very point, he had in his first volume, corrected Lord Herbert, and, in the preface to his third volume, *himself;* and which both Mr. Hallam and Dr. Lingard, *seem* to have overlooked. This then, may serve to shew, not only that the work requires to be read with pretty close attention to the several parts of it, but to be *cited* and *referred to*, with peculiar care and circumspection; as the several volumes are commonly printed, any historian may be led into similar mistakes.

I have, indeed, something almost as striking to adduce from one of the same writers. I mean Dr. Lingard;—speaking of the proceedings in the Upper House of Convocation, on King Henry's divorce in the year 1533, he observes, "among the theologians there were nineteen ayes, (Burnet *has* strangely transformed them into nineteen universities)." In this parenthesis one letter only need to be changed, and then all would be right, for most certain it is, that Burnet *had*, in his first volume, strangely enough transferred the nineteen assenting votes into nineteen universities; but this is one of the very errors corrected by Burnet himself, in his *third* volume, p. 123, though he does not, with his usual candour, exactly

explain how he came to fall into so great a mistake; in fact, Collier not only detected the error into which the Bishop had fallen, but very ingeniously accounted for it, plainly shewing that it must have proceeded from a mistranslation of *Jocelyn's Antiq. Brit.* whose Latin he gives, and which alone seems quite sufficient to prove his point. Burnet should have acknowledged this, instead of seeking to amend things, at such a distance, in his third volume, with a degree of flippancy, not very creditable. "I likewise committed another error, through inadvertence: for I said," (i. e. as far off as vol. i. p. 211, present edition) "the opinions of nineteen universities were read;—whereas only six were read; and the nineteen, which I added to the number of the universities, was the number of those who did not agree to the vote." Even this very correction is loosely expressed, for though indeed they did *not* agree to the vote, they answered the *question* put to them in the *affirmative*, the case being decided against them by a considerable majority, and in support of the opinions delivered by the universities in favour of the King.

The other error to which Burnet alludes above, related to the Constitution of the two Houses of Convocation. "In the account I formerly gave of this matter I offered a conjecture, that deans and archdeacons, who sit in their own right, were then of the Upper House; which I *see*, was without any good ground," vol. iii. 123. In fact, he might have seen it long before, and I cannot avoid adding *should* have seen it, when he published his first volume, having himself supplied two contradictions. In his own *conjecture*, the famous Cardinal Pole, as *Dean of Exeter*, being spoken of, as a member of the *Lower* House of Convocation, and a paper being printed in his appendix of original documents, with the sub-

scriptions of the members of the two Houses separately; the deans and archdeacons, appearing regularly amongst those of the Lower House. This also had not escaped the vigilant eye of his rival Collier.

Having thus noticed one imputation, to which the Right Reverend Author of this History continues still liable, and endeavoured to obviate, in the present Edition, some of the bad consequences arising from his loose style, and dispersed corrections, I shall now turn to the other imputation brought against him, that of very inveterate prejudices. In fact, he was, what the Jacobites and Non-jurors amongst the clergy, at the time of the Revolution, would have called a Whig, if not, to use a more modern term, or augmentative, an *ultra* Whig, and a *low Churchman*. He thought well of the Reformation of the Church of England, and generally of the Reformers by whom that great change was brought about, but he lived in times, when one extreme may be said regularly to have produced the other; in times, when, if ever, an *ultra*-Toryism may be said to have prevailed, co-operating with High-Church principles, carried by many persons to such excess, as to incur the hazard of re-introducing popery in its worst forms; and, on the footing of a strictly *passive obedience*, and unqualified *non-resistance* to the ruling power, *arbitrary government*—when a power of dispensing with, and suspending all laws, was so openly assumed to be a proper branch of the regal prerogative, that whoever ventured to dispute or resist it, was in danger of commitment to all the horrors of a prison, or to the loss of rights and privileges supposed to have been amply secured to him by the law of the land. His prejudices were undoubtedly strong, but when weighed against those of the opposite party, it is impossible to withhold from him the credit, of having taken, latterly at least, the most

patriotic side of the question: if, on the principle of an extensive toleration, or scheme of comprehension as it was called by some, he appeared occasionally to lean too much towards the Dissenters, and too far to expose the Church, by countenancing concessions,* (for of this party he professes himself to have been in the History of his Own Times,) it may be, in a great measure, imputed to his just discernment of the artifices of the Papists, who, at the very same time, were seeking to embroil the Dissenters more and more with the Church, that upon the footing of *their* discontents, they (the Papists) might find means to establish themselves afresh, and pave the way for the recal of the abdicated family to the throne; the heir of which, as he tells us in the History of his Own Times, he knew to be bred up with a hatred both of our religion and our constitution, and in an admiration of the French government; and "yet," he adds, "many who called themselves Protestants, seemed fond of such a successor; a degree of infatuation that might justly amaze all who observed it, and saw the fury with which it was promoted." These were the grounds upon which he seems to have opposed the violences of the High Church party, and to have sought to conciliate the Dissenters, instead of driving them into the hands of the Papists. His opposition to the much cried-up doctrines of *passive obedience* and *non-resistance*, exposed him, as might be expected, to the opposite charge of entertaining and inculcating antimonarchical and republican principles, but in this he was traduced and unjustly calumniated; he is reproached for having basely deserted the Stuarts, after being admitted to

* By his spirit of moderation it is admitted that he brought over several Dissenting families in his diocese to the communion of the Church. See *Biographia Britannica*, Art. Burnet (Gilbert), and particularly notes G. and HH. for an account of his pious discharge of the ministerial and episcopal functions. Lord Halifax observed of him, "He makes many enemies by setting an ill-natured example of living, which they are not inclined to follow."

the favour and countenance of the two brothers, Charles and James; but he did not abandon them, till they had adopted those feelings and principles which were decidedly adverse to the good of the country, and of the fatal consequences of which, he had previously boldly admonished them. What Echard has said of him, may surely be repeated to his credit, as a patriot and a Protestant; "He became so great an instrument in the Revolution," says this able historian, "that all who have hated the one, have abhorred the name of the other;" not that I would attempt to justify all that he did on this memorable occasion; or commend his prudence in venturing to assert King William's claim to the crown in right of *conquest*, as he is known to have done in his Pastoral Letter, condemned to the flames by a vote of Parliament. He has himself told us that his prejudices lay against *France* and *Popery*, and as connected with both, *arbitrary government;* and the author of his epitaph in the church of St. James's, Clerkenwell, has not hesitated to eulogize him as, "*tyrannidi* et *superstitioni* semper infensum—necnon *libertatis patriæ veræque religionis* strenuum semperque indefessum propugnatorem."

It is the more necessary that the reader should be duly apprised of the exact bearings of his peculiar prejudices, since they were, while he lived, exposed to the counteraction of opposite prejudices, in the persons of writers of equal fame. As a rival in ecclesiastical history, Collier stands foremost; a high-churchman of the first stamp, and, so far, it may be added to his *credit*, considering the times, a *steady* and *consistent* non-juror. Whatever praise, however, we may be disposed to bestow on his consistency, his prejudices require to be at the least as much guarded against as those of Burnet, but as these two celebrated writers lived to read each

other's histories, and reciprocally to defend their own tenets, we need not do more than refer generally to their respective works. In the enlarged edition of the Biographica Britannica, the opposite principles of these two eminent writers are well considered. Burnet found rather an able advocate and defender against the strictures of Collier, in Mr. J. Lewis, minister of Margate, who published a set of "Observations upon the Remarks of Mr. Collier in his Ecclesiastical History, on several passages of Bishop Burnet's History of the Reformation." The paper may be seen in the second volume of the *Collectanea Curiosa*, published at Oxford by Mr. Gutch, 1781.

But it was the fate of Burnet to be lampooned by those who had better, considering their own apostacies and tergiversations, have held their peace, particularly for instance, by Swift, who having been at one time as violent a Whig as himself, became afterwards a time-serving Tory, if not a decided Jacobite. At which period Burnet appears to have become a most marked object of his spleen and rancour, particularly with regard to one portion of the work before us.

For some cause or other, not fully explained, but easily to be conjectured by those well versed in the history of the times, Burnet published the Introduction to his third volume, before the work itself,* and as the latter part of it contained great soundings of alarm in regard to the aspect of public affairs, both in Church and State; Swift, who was the mouth-piece of the Tories, if not of the Jacobites, took up the cudgels, and aimed a blow at the Bishop, the more severe, as having something in it, to render its effects

* The third volume of the History of the Reformation, &c., was oddly enough put last. The Introduction appeared first; one or two years before the historical part. The Preface is stated to have been written one year after the Introduction, and the whole volume published, as we have before shewn, thirty-three years subsequently to the second volume, and thirty-five years after the first.

permanent and indelible.* We allude to the very humorous paper printed amongst his Miscellaneous Works, under the following title, "A Preface to the Right Reverend Dr. Burnet B——p of S——'s Introduction to the Third Volume of the History of the Reformation of the Church of England, written in the year 1712." It may be worth while to copy the Dean's address to his bookseller.

"Mr. Morphew,—Your care in putting an advertisement in the *Examiner*, has been of very great use to me. I now send you my Preface to the B——p of Sarum's Introduction to his Third Volume, which I desire you to print in such a form, as in the booksellers' phrase, will make a *Sixpenny Touch;* hoping it will give such a public notice of my design, that it may come into the hands of those, who, perhaps, look not into the B——p's Introduction. I desire you will prefix to this a passage out of Virgil, which doth so perfectly agree with my present thoughts of his Lordship, that I cannot express them better, nor more truly, than those words do. I am, &c."—

The passage from Virgil is from the speech of Sinon in the 2d Æneid,

——"spargere voces
In vulgum ambiguas, et quærere conscius arma.'

Then follows as sharp and neat a piece of satire, perhaps, and as keen a display of wit, as ever came from the pen of that extraordinary but arrogant writer; for the credit of Burnet, however, we must say, that i our estimation, he had much greater grounds afforde him for the alarms he endeavoured to raise in his Introduction, than Swift would allow; and whoever looks into history, will find that as her reign drew towards an end, Queen Anne was in the hands of a party, to say nothing of her own feelings, much

* See Biographica Britannica, Art. Burnet (Gilbert), p. 34. where something to the same effect occurs.

to be suspected of leaning towards the Pretender, and of being adverse to the succession of the house of Hanover. If Swift knew this, he was greatly to blame for censuring Burnet; if he knew it not, he was the greater dupe of the two, not to be alarmed for the liberties of his country. He is very angry with the Bishop for writing so, as if "the Pope, the Devil, the Pretender, and France were just at the door;" but if we look into the history of the times, it would not seem that any of them were so far off, as Swift wished the world, in discredit of Burnet, to believe; if the Bishop, in some parts of his Introduction, allowed his passions and feelings to carry him somewhat too far in expressing his apprehensions of returning popery, (which, I confess, I am far from admitting,) yet, that there was no danger of such a relapse, when the Introduction was published, no banter of the witty Dean, would induce me to believe; and therefore, for the credit of the Author, I would recommend it to the reader, before he allow himself to be beguiled, by one of the bitterest political sarcasms that perhaps ever was written, to look carefully into the history of the last years of the reign of Queen Anne. The 24th volume of Rapin's History, continued by Tindal, may be quite sufficient to shew that Burnet was right, without referring the reader to Burnet himself, in the History of his Own Times, where, if anywhere, his prejudices may be expected to be more strongly marked, as some have taken pains to shew. Bishop Fleetwood's celebrated Preface to his four Sermons, reprinted and republished in the very year in which Swift wrote his banter upon Burnet, and which had the honour of being condemned by the House of Commons to be burnt by the common hangman, is quite sufficient to justify all Burnet's apprehensions. "I have lived," says the Bishop, "to see our deliverance

from *arbitrary power* and *popery*, traduced and vilified by some, (alluding possibly among others to Swift himself,) who formerly thought it was their greatest merit, and made it part of their boast and glory, to have had a little hand and share in bringing it about;" and on the 17th of June, 1712, the very year in which Swift chose to attack Burnet's Introduction, the same patriotic prelate, a man universally esteemed, and particularly by the Queen herself, who was used to call him *her bishop*, addressed a letter to his Right Rev. brother of Salisbury, which alone, is entirely sufficient to vindicate Burnet from the foul but witty aspersions of Swift. "Your Lordship," he tells Burnet, "may now imagine you are growing young again, for we are fallen, methinks, into the very dregs of Charles the Second's politics;" an observation corresponding exactly with one of Burnet's remarks, of which the Dean makes great sport, as a mockery of all truth. If then we must be compelled to grant that Burnet was a prejudiced writer,* it seems impossible for any true Englishman to look to the history of the latter years of Queen Anne, without feeling a disposition to applaud rather than blame the prejudices of which he is accused. I should not have said so much upon this, but for the celebrity of Swift's attack upon the Bishop, which, for the mere humour of it, will probably descend with his other works, down to the latest posterity, and which was immediately directed against a portion of the present publication. The Bishop's History of his

* It is difficult to know how far the most respectable prejudices may be at all indulged with impunity. An Author, whom I should be loth to cite, for what I think a mere oversight, in a reference made to the Memoirs of Sir James Melvil, relating to the celebrated Monluc, bishop of Valence, observes, that "in a certain passage he (Melvil) has given us a remarkable instance of the Bishop's furious temper and turn for gross debauchery,"—adding, with some degree of indignation, "which Burnet, in his hatred to the Romish Clergy, hath very impertinently transcribed into his History of the Reformation."—Why impertinently? —Was a Protestant Bishop, writing upon such a subject, bound in charity to overlook facts so well attested, and referring to times, when debauchery was known to be a crying sin amongst the Popish clergy?

Own Times, will of course afford a greater insight into the state of politics, which drew upon him the bitter sarcasm of the Irish dignitary.

Ridicule, however, is certainly no test of truth, and, in fact, Swift's attack is not one of ridicule only; he is very severe upon Burnet, for what he says of Wharton, who, under the feigned name of *Anthony Harmer*, had published a specimen of some errors and defects in the History of the Reformation; but Wharton's book, was a very virulent and uncharitable performance, and he seems to have deserved no mercy at the hands of Burnet, whatever Swift may have thought of him. Parnell also, a deserter from the Whig party, as well as Swift, attacked Burnet, in Poetry, as the latter had done in Prose, and with an equally malignant spite against the Bishop's *Prefaces* and *Introductions;* the Bishop it seems had like to have been burnt in his closet, which led the Tory, or rather *Jacobitical* Poet, to amuse himself with a contemplation of the probable effects of such a catastrophe.

"From that dire era, bane to Sarum's pride,
Which broke his schemes, and laid his friends aside,
He talks and writes that Popery will return,
And we, and he, and all his works will burn,
What touched himself was almost fairly proved,
(Oh! far from Britain be the rest removed!)
For, as he meant of late, to bless the age,
With flagrant PREFACES of party rage,
O'erwrought with passion, and the subjects' weight,
Lolling he nodded in his elbow seat,
Down fell the candle, grease and zeal conspire,
Heat meets with heat, and pamphlets burn their fire,
Here crawls a PREFACE with its half-burned maggots,
And there an INTRODUCTION brings its faggots."

Burnet received a lash also from the pen of Dryden under the character of Buzzard, in his strange allegory of the Hind and the Panther; but the enmity of the poet could not have redounded much to his credit, had it been *solely* occasioned, as Dr. Johnson in his life of that poet seems to assert, by the Bishop's se-

vere, but very reasonable censure of the obscenities, blasphemies, and falsehoods to be found in his writings. Dr. Warton, in his notes upon this celebrated satirist, expresses himself very angrily upon the occasion, commending Burnet and his works in general, but particularly the History before us, in the following terms: "The History of the Reformation is surely a most valuable work, and one of the most decisive blows Popery ever received." Burnet's fame is probably not in the way of suffering much more from the attacks of Dryden; the Hind and Panther being little likely to have readers in these times, of sufficient patience, to get to the end of it, and indeed if otherwise, there are many chances of their not finding Burnet under the character of Buzzard, though to those who knew him, the satire must have appeared *grossly personal.* Burnet's great offence, was probably the difference between their principles and parties; though it must be acknowledged that he had not been so sparing of Dryden's feelings as he should have been, in his severe remarks on the latter, on account of his projected translation of Varillas' History of Heresies; a book abounding indeed in the foulest falsehoods, and very adverse to the cause taken up by Burnet. It should be added besides, that Dryden, in his *life* and *character,* was not that *monster of immorality* Burnet represented him to be, though his *loose writings* remain as much as ever without excuse.—But to return to the banter of the Irish Dignitary.

The Bishop probably had a clearer view of the dangers with which the country was threatened, towards the close of Queen Anne's reign, than *Swift,* or if the latter knew as much as Burnet, he grossly dissembled for party purposes. In the first volume of the Miscellanies, published by Bathurst in 1751, we have a paper by Swift, entitled "Some Free

Thoughts upon the Present State of Affairs;" and which was written in the year 1714, the very year in which Burnet published his third volume. I have shewn that his Introduction, which he published in the year 1712, and which Swift sought to turn into ridicule, was, according to the actual posture of public affairs, by no means open to such ridicule; that Burnet's fears had a very reasonable foundation, and that Swift was the mere *mouth-piece* of an anti-constitutional party. In 1714, Swift took again the same side of the question, and inveighed largely against those who fancied there could be any danger from the Pretender; "a mere nominal Prince," he calls him, "who lies under all manner of disadvantages. The vulgar imagine him to have been a child imposed upon the nation, by the fraudulent zeal of his parents and their bigotted counsellors; who took special care, against all the rules of common policy, to educate him in their hateful superstition, sucked in with his milk, and confirmed in his manhood—he is likewise said to be of weak intellects, and an unsound constitution: he was treated contemptibly enough by the young princes of France, even during the war; is now wholly neglected by that crown, and driven to live in exile upon a small exhibition. He is utterly unknown in England, which he left in the cradle." In this strain the facetious writer proceeds, to a much greater length, in order to shew that all the apprehensions of the *whigs*, were idle, factious, and unreasonable; and yet no sooner was the Queen dead, and the first Prince of the House of Hanover arrived in England to take possession of his throne, than copies of a manifesto were sent into England, printed in English, French, and Latin, signed at the top James R. and dated at *Plombieres*, the 29th of August, 1714, N. S., in which the claims of Swift's Prince of "weak intellects, and delicate

constitution, a mere exile on a small exhibition," to the *crown* of Great Britain, are set forth in the strongest terms, and with a reference to the *preceding* politics of the English Court, alluded to in Burnet's much vilified Introduction. He says, "The Revolution ruined the English monarchy, laid the foundation of a republican government, and devolved the sovereign power on the people." He observes, "that when he found the treaty of peace was upon the point of being concluded, without any regard to *him*, he published in April, 1712, his protestation against it." He then gives the reason of his sitting still for some time past, in these remarkable words: "yet contrary to our expectations, upon the death of the Princess our sister, of *whose good intentions towards us*, we could not for *some time past* well doubt; and this was the reason we then sat still, expecting the good effects thereof: which were unfortunately prevented by her deplorable death, we found that *our* people, instead of taking this favourable opportunity of retrieving the honour and true interests of their country, by doing us and themselves justice, had immediately proclaimed for their King, a foreign Prince, to our prejudice, contrary to the fundamental and incontestable laws of hereditary right, which their pretended acts of settlement can never abrogate." This manifesto then, which was transmitted from the Continent to the Duke of Marlborough, and others of His Majesty's Council, and proved to be genuine by the Duke of Lorrain, is sufficient of itself to shew, that Burnet's alarms, both in the years 1712 and 1714, were by no means groundless, or assumed only for seditious purposes. To conclude:—

It has not been judged necessary in this Preface to deny any of the charges brought against Burnet, but rather to advertise the reader of the precise

nature and extent of them, that he may be upon his guard. It has been endeavoured to obviate as far as possible, the mistakes likely to arise from the mode in which it has been usual to print the work, and to bring together certain portions of the history which had better not be disunited, as is commonly the case, where the third volume is regarded rather as a regular continuation of the work, than as merely supplementary to the two preceding volumes. I have not attempted to conceal that the Author did make many mistakes, but I have sought to secure to him the credit of having very ingenuously acknowledged them, and in many instances satisfactorily accounted for them, and of having received with thankfulness the emendations and corrections of others, that is, when not obtruded upon him in an angry and offensive manner. We have a remarkable proof of this in the case of Mr. Baker, author of the Reflections on Learning, who had communicated to the Bishop a variety of corrections, and who, though not named, is spoken of by Burnet in the Preface to the third volume, under the title of a *learned and worthy person;* the Bishop published all his corrections, though he did not adopt them all. Of the sense entertained by Mr. Baker of the Bishop's candour, the following testimony remains. In the third volume of his own copy of the History of the Reformation, in the Public Library at Cambridge, Mr. Baker himself has written as follows: "*Ex dono doctissimi Auctoris, ac celeberrimi Præsulis Gilberti Episcopi Salisburiensis* —I shall always have an honour for the Author's memory, who entered all the corrections I had made, at the end of this volume. If any more are found, they were not sent, for he suppressed nothing." This testimony of Baker, says the Author of *Biographia Britannica*, in favour of the candour of Burnet, whose principles were so different from his own, is

certainly worthy of attention, and indeed, does honour to them both. Even Swift acknowledges that the Bishop was a man of great good-nature and generosity—in which he certainly had the advantage of his antagonist, who was sadly deficient in both those qualities.

As to the Bishop's prejudices and partialities, they must be referred to the temper of the times, the peculiar character of his work, and the extraordinary public transactions in which it was his lot to be deeply involved; one half of his work, however, at all events, ought to be proof against the ill effects of private partialities; as far, that is, as they are what they profess to be, correct transcripts of original, authentic, and ancient documents, and if his prejudices have tended to mark him as a party man, I have endeavoured to shew, that the prejudices of his contemporaries and opponents were not less strong, and in many points, much more adverse to the free principles of our admirable constitution, than those of the Right Reverend Author of this History. I have, however, at present, judged it necessary to notice only those prejudices with which he stands charged as the Author of the Introduction to the third volume, and which was calculated when it first appeared, to excite the most lively apprehensions of the return of Popery; apprehensions which, though the *wits* of the other party chose to turn into ridicule at the time, appear to have had a good historical foundation. As to all his other works, we have nothing to do with them here; a good account of them is to be found, not only in the article assigned to the Bishop, in the Biographia Britannica, but in the Appendix to the History of his Own Times, 1818, and to which the reader is referred for further information.

E. NARES.

TO

THE KING.

SIR,

THE first step that was made in the Reformation of this Church, was the restoring to your royal ancestors the rights of the crown, and an entire dominion over all their subjects, of which they had been disseized by the craft and violence of an unjust Pretender: to whom the clergy, though your Majesty's progenitors had enriched them, by a bounty no less profuse than ill-managed, did not only adhere, but drew with them the laity, over whose consciences they had gained so absolute an authority, that our kings were to expect no obedience from their people, but what the popes were pleased to allow.

It is true, the nobler part of the nation did frequently, in parliament, assert the regal prerogatives against those papal invasions; yet these were but faint endeavours: for an ill-executed law is but an unequal match to a principle strongly infused into the consciences of the people.

But how different was this from the teaching of Christ and his apostles? They forbade men to use all those arts by which the papacy grew up and yet subsists: they exhorted them to obey magistrates, when they knew it would cost them their lives: they were for setting up a kingdom, not of this world, nor to be attained but by a holy and peaceable religion. If this might every where take place, princes would find government both easy and secure: it would raise in their subjects the truest courage, and unite them with the firmest charity: it would draw from them obedience to the laws, and reverence to the persons of their kings. If the standards of justice and charity which the gospel gives, of doing as we would be done by, and loving our neighbours as ourselves, were made the measures of men's actions, how steadily would societies be governed, and how exactly would Princes be obeyed!

The design of the Reformation was to restore Christianity to what it was at first, and to purge it of those corruptions with which it was overrun in the later and darker ages.

Great Sir, this work was carried on by a slow and unsteady progress under King Henry the Eighth; it advanced in a fuller and freer course under the short but blessed reign of King Edward; was sealed with the blood of many martyrs under Queen Mary; was brought to a full settlement in the happy and glorious days of Queen Elizabeth; was defended by the learned pen of King James: but the established frame of it, under which it had so long flourished, was overthrown with your Majesty's blessed Father, who fell with it, and honoured it by his unexampled suffering for it; and was again restored to its former beauty and order by your Majesty's happy return.

What remains to complete and perpetuate this blessing, the composing of our differences at home, the establishing a closer correspondence with the reformed churches abroad, the securing us from the restless and wicked practices of that party, who hoped so lately to have been at the end of their designs; and that which can only entitle us to a blessing from God, the reforming of our manners and lives, as our ancestors did our doctrine and worship; all this is reserved for your Majesty, that it may appear that your royal title of Defender of the Faith is no empty sound, but the real strength and glory of your crown.

For attaining these ends, it will be of great use to trace the steps of our first reformers; for if the land-marks they set be observed, we can hardly go out of the way. This was my chief design in the following sheets, which I now most humbly offer to your Majesty, hoping, that as you were graciously pleased to command that I should have free access to all Records for composing them, so you will not deny your royal patronage to the History of that Work, which God grant your Majesty may live to raise to its perfection, and to complete in your reign the glory of all your titles. This is a part of the most earnest as well as the daily prayers of,

May it please your sacred Majesty,

Your Majesty's most loyal, most faithful,

And most devoted subject and servant,

G. BURNET.

THE PREFACE.

THERE is no part of history better received than the account of great changes and revolutions of states and governments, in which the variety of unlooked-for accidents and events both entertains the reader and improves him.

Of all changes, those in religion, that have been sudden and signal, are inquired into with the most searching curiosity: where the salvation of souls being concerned, the better sort are much affected; and the credit, honour, and interest of churches and parties draw in those, who though they do not much care for the religious part, yet make noise about it to serve other ends. The changes that were made in religion in the last century have produced such effects every where, that it is no wonder if all persons desire to see a clear account of the several steps in which they advanced, of the counsels that directed them, and the motives, both religious and political, that inclined men of all conditions to concur in them. Germany produced a Sleidan, France a Thuanus, and Italy a Friar Paul, who have given the world as full satisfaction in what was done beyond sea as they could desire. And though the two last lived and died in the communion of the church of Rome, yet they have delivered things to posterity, with so much candour and evenness, that their authority is disputed by none but those of their own party.

But while foreign churches have such historians, ours at home have not had the like good fortune: for whether it was, that the reformers at first presumed so far on their legal and calm proceedings, on the continued succession of their clergy, the authority of the law, and the protection of the Prince, that they judged it needless to write a history; and therefore employed their best pens rather to justify what they did, than to deliver how it was done; or whether by a mere neglect the thing was omitted, we cannot determine. True it is, that it was not done to any degree of exactness, when matters were so fresh in men's memories, that things might have been opened with greater advantages, and vouched by better authority, than it is to be expected at this distance.

They were soon after much provoked by Sanders's history, which he published to the world in Latin: yet either despising a writer, who did so impudently deliver falsehoods, that from his own book many of them may be disproved, or expecting a command from authority, they did not then set about it. The best account I can give of their silence, is, that most of Sanders's calumnies being levelled at Queen Elizabeth, whose birth and parents he designed chiefly to disgrace; it was thought too tender a point by her wise counsellors to be much inquired into: it gave too great credit to his lies to answer them; an answer would draw forth a reply, by which those calumnies would still be kept alive; and therefore it was not without good reason thought better to let them lie unanswered and despised. From whence it is come that in this age that author is in such credit, that now he is quoted with much assurance: most of all the writers, in the church of Rome, rely on his testimony as a good authority. The collectors of the general history of that age follow his thread closely, some of them transcribe his very words. One Pollini, a Dominican, published a history of the changes that were made in England, in Italian, at Rome, anno 1594, which he should more ingenuously have called a translation or paraphrase of Sanders's History: and of late more candidly, but no less maliciously, one of the best pens of France has been employed to translate him into their language, which has created such prejudices in the minds of many there, that our Reformation, which generally was more modestly spoken of, even by those who wrote against it, is now looked on by such as read Sanders, and believe him, as one of the foulest things that ever was.

Fox, for all his voluminous work, had but few things in his eye when he made his collection, and designed only to discover the corruptions and cruelties of the Roman clergy, and the sufferings and constancy of the reformers. But his work was written in haste, and there are so many defects in it, that it can by no means be called a complete history of these times; though I must add, that having compared his Acts and Monuments with the records, I have never been able to discover any errors or prevarications in them, but the utmost fidelity and exactness. Parker, archbishop of Canterbury, designed only, in his account of the British Antiquities, to do justice and honour to his see, and so gives us barely the life of Cranmer, with some few and general hints of what he did. Hall was but a superficial writer, and was more careful to get full informations of the clothes that were worn at the interviews of princes, justs, tournaments, and great solemnities, than about the counsels or secret transactions of the time he lived in. Holingshed,

Speed, and Stow, give bare relations of things that were public, and commit many faults. Upon their scent most of our later writers have gone, and have only collected and repeated what they wrote.

The Lord Herbert judged it unworthy of him to trifle as others had done, and therefore made a more narrow search into records and original papers, than all that had gone before him; and with great fidelity and industry, has given us the history of King Henry the Eighth. But in the transactions that concern religion, he dwells not so long as the matter required, leaving those to men of another profession; and judging it, perhaps, not so proper for one of his condition to pursue a full and accurate deduction of those matters.

Since he wrote, two have undertaken the ecclesiastical history; Fuller and Heylin. The former got into his hands some few papers that were not seen before he published them; but, being a man of fancy, and affecting an odd way of writing, his work gives no great satisfaction. But Doctor Heylin wrote smoothly and handsomely; his method and style are good, and his work was generally more read than any thing that had appeared before him: but either he was very ill informed, or very much led by his passions; and he being wrought on by most violent prejudices against some that were concerned in that time, delivers many things in such a manner, and so strangely, that one would think he had been secretly set on to it by those of the church of Rome, though I doubt not he was a sincere protestant, but violently carried away by some particular conceits. In one thing he is not to be excused; that he never vouched any authority for what he writ, which is not to be forgiven any who write of transactions beyond their own time, and deliver new things not known before. So that upon what grounds he wrote a great deal of his book we can only conjecture, and many in their guesses are not apt to be very favourable to him.

Things being delivered to us with so much alloy and uncertainty, those of the church of Rome do confidently disparage our Reformation. The short history of it, as it is put in their mouths, being, that it was begun by the lusts and passions of King Henry the Eighth, carried on by the ravenousness of the Duke of Somerset, under Edward the Sixth, and confirmed by the policy of Queen Elizabeth and her council to secure her title. These things being generally talked and spread abroad in foreign parts, especially in France, by the new translation of Sanders, and not being yet sufficiently cleared, many have desired to see a fuller and better account of those transactions than has yet

been given; so the thing being necessary, I was the more encouraged to set about it by some persons of great worth and eminence, who thought I had much leisure and other good opportunities to go through with it, and wished me to undertake it. The person that did engage me chiefly to this work, was on many accounts much fitter to have undertaken it himself, being the most indefatigable in his industry, and the most judicious in his observations, of any I know, and is one of the greatest masters of style now living. But being engaged in the service of the church, in a station that affords him very little leisure, he set me on to it, and furnished me with a curious collection of his own observations. And in some sort this work may be accounted his; for he corrected it with a most critical exactness; so that the first materials, and the last finishing of it, are from him. But after all this, I lie under such restraints from his modesty, that I am not allowed to publish his name.

I had two objections to it, besides the knowledge of my own unfitness for such a work. One was my unacquaintedness with the laws and customs of this nation, not being born in it: the other was the expense that such a search as was necessary required, which was not easy for me to bear. My acquaintance with the most ingenious master, William Petyt, counsellor of the Inner Temple, cleared one difficulty, he offering me his assistance and direction, without which I must have committed great faults. But I must acknowledge myself highly obliged by the favour and bounty of the honourable master of the rolls, Sir Harebottle Grimstone, of whose worth and goodness to me I must make a large digression, if I would undertake to say all that the subject will bear: the whole nation expressed their value of him, upon the most signal occasion, when they made him their mouth and speaker in that blessed assembly which called home their King, after which real evidence all little commendations may be well forborne. The obligations he has laid on me are such, that, as the gratitude and service of my whole life, is the only equal return I can make for them; so as a small tribute I judge myself obliged to make my acknowledgments in this manner, for the leisure I enjoy under his protection, and the support I receive from him; and if this Work does the world any service, the best part of the thanks is due to him, that furnished me with particular opportunities of carrying it on. Nor must I conceal the nobleness of that renowned promoter of learning, Master Boyle, who contributed liberally to the expense this Work put me to.

Upon these encouragements I set about it: and began with the search of all public records and offices, the parlia-

ment and treaty rolls, with all the patent rolls, and the registers of the sees of Canterbury and London, and of the Augmentation Office. Then I laid out for all the MSS. I could hear of, and found things beyond my expectation in the famous Cotton Library, where there is such a collection of original papers relating to these times, as perhaps the world can shew nothing like it. I had also the favour of some MSS. of great value, both from the famous and eminently learned Doctor Stillingfleet, who gave me great assistance in this Work, and from Mr. Petyt, and others.

When I had looked these over, I then used all the endeavours I could, to gather together the books that were printed in those days, from which I not only got considerable hints of matters of fact, but (that which I chiefly looked for) the arguments upon which they managed the controversies then on foot, of which I thought it was the part of an ecclesiastical historian to give an account, as I could recover them, that it may appear upon what motives and grounds they proceeded.

The three chief periods of Henry the Eighth's reign, in which religion is concerned, are, first—From the beginning of his reign, till the process of his divorce with Queen Katherine commenced. The second is—From that till his total breaking off from Rome, and setting up his supremacy over all causes and persons. The third is—From that to his death.

When I first set about this Work, I intended to have carried on the history of the Reformation to the reign of Queen Elizabeth, in which it was finished and fully settled; but I was forced to change that resolution. The chief reason, among many others, was, that I have not yet been able to discover such full informations of what passed under the succeeding reigns, as were necessary for a history; and though I have searched the public registers of that time, yet I am still in the dark myself in many particulars. This made me resolve on publishing this volume first, hoping, that those in whose hands any manuscripts or papers of that time lie, will from what is now performed be encouraged to communicate them: or, if any have made a considerable progress in those collections, I shall be far from envying them the honour of such a work, in which it had been inexcusable vanity in me to have meddled, if the desires of others, who have great power over me, had not prevailed with me to set about it. And, therefore, though I have made a good advance in the following part of the Work, I shall most willingly resign it up to any who will undertake it, and they shall have the free use of all my papers. But if none will set about it, who yet can furnish materials towards it, I hope their zeal for

carrying on so desired a work, will engage them to give all the help to it that is in their power.

There is only one passage belonging to the next volume, which I shall take notice of here; since from it I must plead my excuse for several defects, which may seem to be in this Work. In the search I made of the Rolls and other offices, I wondered much to miss several commissions, patents, and other writings, which by clear evidence I knew were granted, and yet none of them appeared on record. This I could not impute to any thing but the omission of the clerks, who failed in the enrolling those commissions, though it was not likely that matters of so high concernment should have been neglected, especially in such a critical time, and under so severe a king. But as I continued down my search to the fourth year of Queen Mary, I found, in the twelfth roll of that year, a commission, which cleared all my former doubts, and by which I saw what was become of the things I had so anxiously searched after. We have heard of the expurgation of books practised in the church of Rome, but it might have been imagined, that public registers and records would have been safe; yet, lest these should have been afterwards confessors, it was resolved they should then be martyrs; for, on the 29th of December, in the fourth year of her reign, a commission was issued out under the great seal to Bonner, bishop of London, Cole, dean of St. Paul's, and Martin, a doctor of the civil law, which is of that importance, that I shall here insert the material words of it: "Whereas it is come to our knowledge, that, in the time of the late schism, divers accounts, books, scrolls, instruments, and other writings were practised, devised, and made, concerning professions against the Pope's holiness, and the see apostolic; and also sundry infamous scrutinies taken in abbeys and other religious houses, tending rather to subvert and overthrow all good religion and religious houses, than for any truth contained therein: which being in the custody of divers registers, and we intending to have those writings brought to knowledge, whereby they may be considered and ordered according to our will and pleasure, thereupon, those three or any two of them are empowered to cite any persons before them, and examine them upon the premises upon oath, and to bring all such writings before them, and certify their diligence about it to Cardinal Pool, that further order might be given about them."

When I saw this, I soon knew which way so many writings had gone: and as I could not but wonder at their boldness, who thus presumed to raze so many records; so their ingenuity in leaving this commission in the rolls, by which any who had the curiosity to search for it, might be satisfied

how the other commissions were destroyed, was much to be commended. Yet in the following Work it will appear that some few papers escaped their hands.

I know it is needless to make great protestations of my sincerity in this Work. These are of course, and are little considered; but I shall take a more effectual way to be believed, for I shall vouch my warrants for what I say, and tell where they are to be found. And having copied out of records and MSS. many papers of great importance, I shall not only insert the substance of them in the following Work, but at the end of it shall give a collection of them at their full length, and in the language in which they were originally written: from which, as the reader will receive full evidence of the truth of this History; so he will not be ill-pleased, to observe the genius and way of the great men in that time, of which he will be better able to judge, by seeing their letters and other papers, than by any representation made of them at second-hand. They are digested into that order in which they are referred to in the History.

It will surprise some to see a book of this bigness written of the history of our Reformation, under the reign of King Henry the Eighth: since the true beginnings of it are to be reckoned from the reign of King Edward the Sixth, in which the Articles of our church, and the forms of our worship, were first compiled and set forth by authority. And, indeed, in King Henry's time, the Reformation was rather conceived than brought forth, and two parties were in the last eighteen years of his reign struggling in the womb, having now and then advantages on either side, as the unconstant humour of that King changed, and as his interests, and often as his passions, swayed him.

Cardinal Wolsey had so dissolved his mind into pleasures, and puffed him up with flattery and servile compliances, that it was not an easy thing to serve him; for being boisterous and impatient naturally, which was much heightened by his most extravagant vanity and high conceit of his own learning and wisdom, he was one of the most uncounsellable persons in the world.

The book which he wrote had engaged him deep in these controversies, and by perpetual flatteries he was brought to fancy it was written with some degree of inspiration. And Luther in his answer had treated him so unmannerly, that it was only the necessity of his affairs that forced him into any correspondence with that party in Germany.

And though Cranmer and Cromwell improved every advantage, that either the King's temper, or his affairs offered them, as much as could be; yet they were to be pitied, having to do with a prince, who upon the slightest pretences

threw down those whom he had most advanced; which Cromwell felt severely, and Cranmer was sometimes near it.

The faults of this King being so conspicuous, and the severity of his proceedings so unjustifiable, particularly that heinous violation of the most sacred rules of justice and government, in condemning men without bringing them to make their answers, most of our writers have separated the concerns of this Church from his reign; and imagining, that all he did was founded only on his revenge upon the court of Rome, for denying his divorce, have taken little care to examine how matters were transacted in his time.

But if we consider the great things that were done by him, we must acknowledge that there was a signal providence of God, in raising up a king of his temper, for clearing the way to that blessed work that followed: and that could hardly have been done, but by a man of his humour; so that I may very fitly apply to him the witty simile of an ingenious writer, who compares Luther to a postilion in his waxed boots and oiled coat, lashing his horses through thick and thin, and bespattering all about him.

This character befits King Henry better (saving the reverence due to his crown), who, as the postilion of Reformation, made way for it through a great deal of mire and filth. He abolished the Pope's power, by which not only that tyranny was destroyed, which had been long a heavy burden on this oppressed nation; but all the opinions, rites, and constitutions, for which there was no better authority than papal decrees, were to fall to the ground; the foundation that supported them being thus sapped. He suppressed all the monasteries; in which though there were some inexcusable faults committed, yet he wanted not reason to do what he did: for the foundation of those houses being laid on the superstitious conceit of redeeming souls out of purgatory, by saying masses for them; they, whose office that was, had, by counterfeiting relics, by forging of miracles, and other like impostures, drawn together a vast wealth, to the enriching of their saints; of whom some, perhaps, were damned souls, and others were never in being. These arts being detected, and withal their great viciousness in some places, and in all their great abuse of the Christian religion, made it seem unfit they should be continued. But it was their dependence on the see of Rome, which, as the state of things then was, made it necessary that they should be suppressed. New foundations might have done well; and the scantiness of these, considering the number and wealth of those which were suppressed, is one of the great blemishes of that reign. But it was in vain to endeavour to amend the old ones. Their numbers were so great, their riches and interests in

the nation so considerable; that a prince of ordinary metal would not have attempted such a design, much less have completed it in five years time. With these fell the superstition of images, relics, and the redemption of souls out of purgatory. And those extravagant addresses to saints that are in the Roman offices were thrown out, only an *ora pro nobis* was kept up, and even that was left to the liberty of priests, to leave it out of the litanies as they saw cause. These were great preparations for a reformation. But it went further; and two things were done, upon which a greater change was reasonably to be expected. The Scriptures were translated into the English tongue, and set up in all churches, and every one was admitted to read them, and they alone were declared the rule of faith. This could not but open the eyes of the nation; who finding a profound silence in these writings about many things, and a direct opposition to other things that were still retained, must needs conclude, even without deep speculations or nice disputing, that many things that were still in the church had no ground in Scripture, and some of the rest were directly contrary to it. This Cranmer knew well would have such an operation, and therefore made it his chief business to set it forward, which in conclusion he happily effected.

Another thing was also established, which opened the way to all that followed;—that every national Church was a complete body within itself; so that the Church of England, with the authority and concurrence of their head and king, might examine and reform all errors and corruptions, whether in doctrine or worship. All the provincial councils in the ancient Church, were so many precedents for this, who condemned heresies, and reformed abuses as the occasion required. And yet these being all but parts of one empire, there was less reason for their doing it without staying for a general council, which depended upon the pleasure of one man (the Roman emperor) than could be pretended, when Europe was divided into so many kingdoms; by which a common concurrence of all these churches was a thing scarce to be expected: and therefore this church must be in a very ill condition, if there could be no endeavours for a reformation, till all the rest were brought together.

The grounds of the new covenant between God and man in Christ, were also truly stated, and the terms on which salvation was to be hoped for, were faithfully opened according to the New Testament. And this being, in the strict notion of the word, the Gospel, and the glad tidings preached through our blessed Lord and Saviour, it must be confessed that there was a great progress made, when the nation was well instructed about it; though there was still an alloy of

other corruptions, embasing the purity of the faith. And, indeed, in the whole progress of these changes, the King's design seemed to have been to terrify the court of Rome, and cudgel the pope into a compliance with what he desired: for in his heart he continued addicted to some of the most extravagant opinions of that church; such as transubstantiation, and the other corruptions in the mass, so that he was to his life's end more papist than protestant.

There are two prejudices, which men have generally drunk in against that time. The one is, from the King's great enormities, both in his personal deportment and government, which make many think no good could be done by so ill a man, and so cruel a prince. I am not to defend him, nor to lessen his faults. The vastness and irregularity of his expense procured many heavy exactions, and twice extorted a public discharge of his debts, embased the coin, with other irregularities. His proud and impatient spirit occasioned many cruel proceedings. The taking so many lives, only for denying his supremacy, particularly Fisher's and More's, the one being extremely old, and the other one of the glories of his nation for probity and learning: the taking advantage from some irruptions in the north, to break the indemnity he had before proclaimed to those in the rebellion, even though they could not be proved guilty of those second disorders: his extreme severity to all Cardinal Pole's family: his cruel using, first Cromwell, and afterwards the Duke of Norfolk and his son, besides his unexampled proceedings against some of his wives; and that which was worst of all, the laying a precedent for the subversion of justice, and oppressing the clearest innocence by attainting men without hearing them: these are such remarkable blemishes, that as no man of ingenuity can go about the whitening them; so the poor reformers drunk so deep of that bitter cup, that it very ill becomes any of their followers to endeavour to give fair colours to those red and bloody characters with which so much of his reign is stained.

Yet after all this sad enumeration, it was no new nor unusual thing in the methods of God's providence, to employ princes who had great mixtures of very gross faults to do signal things for his service. Not to mention David and Solomon, whose sins were expiated with a severe repentance; it was the bloody Cyrus that sent back the Jews to their land, and gave them leave to rebuild their temple. Constantine the Great is, by some of his enemies, charged with many blemishes both in his life and government. Clovis of France, under whom that nation received the Christian faith, was a monster of cruelty and perfidiousness, as even Gregory of Tours represents him, who lived near his time,

and nevertheless makes a saint of him. Charles the Great, whom some also make a saint, both put away his wife for a very slight cause, and is said to have lived in most unnatural lusts with his own daughter. Irene, whom the church of Rome magnifies as the restorer of their religion in the east, did, both contrary to the impressions of nature, and of her sex, put out her own son's eyes, of which he died soon after, with many other execrable things. And whatever reproaches those of the church of Rome cast on the Reformation, upon the account of this King's faults, may be easily turned back on their popes, who have never failed to court and extol princes that served their ends, how gross and scandalous soever their other faults have been. As Phocas, Brunichild, Irene, Mathildis, Edgar of England, and many more. But our church is not near so much concerned in the persons of those princes, under whom the Reformation began, as theirs is in the persons of their popes, who are believed to have far higher characters of a Divine power and spirit in them, than other princes pretend to. And yet if the lives of those popes, who have made the greatest advances in their jurisdiction, be examined, particularly Gregory the Seventh, and Boniface the Eighth, vices more eminent than any can be charged on King Henry, will be found in them. And if a lewd and wicked pope may yet have the Holy Ghost dwelling in him, and directing him infallibly; why may not an ill king do so good a work as set a reformation forward: and if it were proper to enter into a dissection of four of those popes, that sat at Rome during this reign, Pope Julius will be found beyond him in a vast ambition, whose bloody reign did not only embroil Italy, but a great part of Christendom: Pope Leo the Tenth was as extravagant and prodigal in his expense, which put him on baser shifts, than ever this King used to raise money; not by embasing the coin, or raising new and heavy taxes, but by embasing the Christian religion, and prostituting the pardon of sin in that foul trade of indulgences: Clement the Seventh was false to the highest degree; a vice which cannot be charged on this King: and Paul the Third was a vile and lewd priest, who not only kept his whore, but gloried in it, and raised one of his bastards to a high dignity, making him Prince of Parma and Piacenza; and himself is said to have lived in incest with others of them. And, except the short reign of Hadrian the Sixth, there was no pope at Rome all this while, whose example might make any other prince blush for his faults; so that Guicciardine, when he calls Pope Clement a good pope, adds, "I mean not goodness apostolical, for in those days he was esteemed a good pope, that did not exceed the wickedness of the worst of men."

In sum, God's ways are a great deep, who has often shewed his power and wisdom, in raising up unlikely and unpromising instruments, to do great services in the world; not always employing the best men in them, lest good instruments should share too deep in the praises of that which is only due to the Supreme Creator and Governor of the world; and therefore he will *stain the pride of all glory* that *such as glory may only glory in the Lord.* Jehu did an acceptable service to God, in destroying the idolatry of Baal, though neither the way of doing it be to be imitated, being grossly insincere, nor was the reformation complete, since the worshipping the two calves was still kept up; and it is very like, his chief design in it was to destroy all the party that favoured Ahab's family; yet the thing was good, and was rewarded by God: so whatever this King's other faults were, and how defective soever the change he made was, and upon what ill motives soever it may seem to have proceeded; yet the things themselves being good, we ought not to think the worse of them because of the instrument, or manner by which they were wrought; but are to adore and admire the paths of the Divine wisdom, that brought about such a change in a church, which, being subjected to the see of Rome, had been more than any other part of Europe most tame under its oppressions, and was most deeply drenched in superstition: and this by the means of a Prince, who was the most devoted to the interest of Rome of any in Christendom, and seemed to be so upon knowledge, being very learned; and continued to the last much leavened with superstition, and was the only king in the world whom that see declared *Defender of the Faith.* And that this should have been carried on so far, with so little opposition, some risings, though numerous and formidable, being scattered and quieted without blood; and that a mighty prince who was victorious almost in all his undertakings, Charles the Fifth, and was both provoked in point of honour and interest, yet could never find one spare season to turn his arms upon England, are great demonstrations of a particular influence of Heaven in these alterations, and of its watchful care of them.

But the other prejudice touches the Reformation in a more vital and tender part; and it is, that Cranmer, and the other bishops, who promoted the Reformation in the succeeding reign, did in this comply too servilely with King Henry's humours, both in carrying on his frequent divorces, and in retaining those corruptions in the worship, which by their throwing them off in the beginning of King Edward's reign, we may conclude were then condemned by them; so that they seem to have prevaricated against their consciences in that compliance.

It were too faint a way of answering so severe a charge, to turn it back on the church of Rome, and to shew the base compliances of some, even of the best of their popes, as Gregory the Great, whose congratulations to the usurper Phocas, are a strain of the meanest and indecentest flattery that ever was put in writing. And his compliments to Brunichild, who was one of the greatest monsters, both for lust and cruelty that ever her sex produced, shew that there was no person so wicked that he was ashamed to flatter: but the blemishing them will not (I confess) excuse our reformers, therefore other things are to be considered for their vindication. They did not at once attain the full knowledge of Divine truth, so that in some particulars, as in that of the corporal presence in the sacrament, both Cranmer and Ridley were themselves then in the dark. Bertram's book first convinced Ridley, and he was the chief instrument in opening Cranmer's eyes; so if themselves were not then enlightened, they could not instruct others. As for other things, such as the giving the cup to the laity, the worshipping God in a known tongue, and several reformations about the mass, though they judged them necesary to be done as soon as was possible; yet they had not so full a persuasion of the necessity of these, as to think it a sin not to do them. The Prophet's words to Naaman, the Syrian, might give them some colour for that mistake; and the practice of the apostles, who continued not only to worship at the temple, but to circumcise and to offer sacrifices (which must have been done by St. Paul, when he purified himself in the temple) even after the law was dead, by the appearing of the Gospel, seemed to excuse their compliance. They had also observed, that as the apostles were "all things to all men, that so they might gain some;" so the primitive Christians had brought in many rites of heathenism into their worship: upon which inducements they were wrought on to comply in some uneasy things, in which if these excuses do not wholly clear them, yet they very much lessen their guilt.

And after all this, it must be confessed they were men, and had mixtures of fear and human infirmities with their other excellent qualities. And, indeed, Cranmer was in all other points so extraordinary a person, that it was perhaps fit there should be some ingredients in his temper, to lessen the veneration, which his great worth might have raised too high, if it had not been for these feeblenesses, which upon some occasions appeared in him. But if we examine the failings of some of the greatest of the primitive fathers, as Athanasius, Cyril, and others, who were the most zealous asserters of the faith, we must conclude them to have been

nothing inferior to any that can be charged on Cranmer; whom, if we consider narrowly, we shall find as eminent virtues, and as few faults in him, as in any prelate that has been in the Christian church for many ages. And if he was prevailed on to deny his Master through fear, he did wash off that stain by a sincere repentance, and a patient martyrdom, in which he expressed an eminent resentment of his former frailty, with a pitch of constancy of mind above the rate of modern examples.

But their virtues, as well as their faults are set before us for our instruction; and how frail soever the vessels were, they have conveyed to us a treasure of great value—the pure Gospel of our Lord and Saviour: which if we follow, and govern our lives and hearts by it, we may hope in easier and plainer paths to attain that blessedness which they could not reach, but through scorching flames: and if we do not improve the advantages which this light affords, we may either look for some of those trials which were sent for the exercise of their faith and patience, and perhaps for the punishment of their former compliance; or, if we escape these, we have cause to fear worse in the conclusion.

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BURNET'S REFORMATION.

PART I. BOOK I.

A SUMMARY VIEW OF KING HENRY THE EIGHTH'S REIGN, TILL THE PROCESS OF HIS DIVORCE WAS BEGUN, IN WHICH THE STATE OF ENGLAND, CHIEFLY AS IT RELATED TO RELIGION, IS OPENED.

ENGLAND had for a whole age felt the miseries of a long and cruel war between the two houses of York and Lancaster; during which time as the Crown had lost great dominions beyond sea, so the nation was much impoverished, many noble families extinguished, much blood shed, great animosities every where raised, with all the other miseries of a lasting civil war: but they now saw all these happily composed, when the two families did unite in King Henry the Eighth. In his father's reign they were rather cemented and joined than united; whose great partiality to the house of Lancaster, from which he was descended, and severity to the branches of the house of York, in which even his own Queen had a large share, together with the impostors that were set up to disturb his reign, kept these heats alive, which were now all buried in his grave: and this made the succession of his son so universally acceptable to the whole nation, who now hoped to revive their former pretensions in France, and to have again a large share in all the affairs of Europe, from which their domestic broils had so long excluded them.

King Henry's succession to the crown, April 22, 1509

There was another thing, which made his first coming to the Crown no less acceptable, which was, that the same day that his father died,* he ordered Dudley and Empson to be committed to the Tower: his father, whether out of policy, or inclination, or

He proceeds against Dudley and Empson.

* Hall says, the same day. L. Herbert says, the day following.

both, was all his life much set on the gathering of treasure, so that those ministers were most acceptable, who could fill his coffers best: and though this occasioned some tumults, and disposed the people to all those commotions, which fell out in his reign: yet he being successful in them all, continued in his course of heaping up money.

Towards the end of his life, he found out those two instruments, who outdid all that went before them, and what by vexatious suits upon penal but obsolete laws, what by unjust imprisonments, and other violent and illegal proceedings, raised a general odium upon the government; and this grew upon him with his years, and was come to so great a height towards the end of his life, that he died in good time for his own quiet: for as he used all possible endeavours to get money, so what he got, he as carefully kept, and distributed very little of it among those about him; so that he had many enemies, and but few friends. This being well considered by his son, he began his government with the disgrace of those two ministers, against whom he proceeded according to law; all the other inferior officers whom they had made use of were also imprisoned.

When they had thus fallen, many and great complaints came in from all parts against them, they also apprehending the danger they were like to be in upon their master's death, had been practising with their partners to gather about them all the power they could bring together, whether to secure themselves from popular rage, or to make themselves seem considerable, or formidable to the new King. This and other crimes being brought in against them, they were found guilty of treason in a legal trial. But the King judged this was neither a sufficient reparation to his oppressed people, nor satisfaction to justHall. tice: therefore he went further, and both ordered restitution to be made by his father's executors of great sums of money, which had been unjustly extorted from his subjects; and in his first parliament which he summoned to the twenty-first of January following

he not only delivered up Empson and Dudley with their complices to the justice of the two houses, who attainted them by act of parliament, and a little after gave order for their execution; but did also give his royal assent to those other laws by which the subject was secured from the like oppressions for the future: and that he might not at all be suspected of any such inclinations as his father had to amass treasure, he was the most magnificent in his expense of any prince in Christendom, and very bountiful to all about him, and as one extreme commonly produces another, so his father's covetousness led him to be prodigal, and the vast wealth which was left him, being reckoned no less than 1,800,000*l.* was in three years dissipated, as if the son in his expense had vied industry with his father in all his thrift.

He holds a parliament Jan 21, 1510

Aug 18.

His great expense

Thomas, earl of Surrey (afterwards Duke of Norfolk), to shew how compliant he was to the humours of the princes whom he served, as he had been lord-treasurer to the father the last seven years of his life, so being continued in the same office by this King, did as dexterously comply with his prodigality, as he had done formerly with his sparingness.

But this in the beginning of the Prince's reign did much endear him both to the court and nation there being a freer circulation of money, by which trade was encouraged; and the courtiers tasted so liberally of the King's bounty, that he was every where much magnified, though his expense proved afterwards heavier to the subject, than ever his father's avarice had been.

His affairs beyond sea

Another thing that raised the credit of this King was, the great esteem he was in beyond sea, both for his wisdom and power; so that in all the treaties of peace and war he was always much considered, and he did so exactly pursue that great maxim of princes, of holding the balance, that still as it grew heavier, whether in the scale of France, or Spain, he governed himself and them as a wise arbiter. His first action was against France, which by the accession of the duchy of Britain, through his father's oversight, was

made greater and more formidable to the neighbouring princes; therefore the French successes in Italy having united all the princes there against them, Spain and England willingly joined themselves in the quarrel. The kingdom of Spain being also then united, conquered Navarre, which set them at great ease, and weakened the King of France on that side. Whose affairs also declining in Italy, this King finding him so much lessened, made peace with him; having first managed his share of the war, with great honour at sea and land: for going over in person, he did both defeat the French army, and take Terwin and Tourney; the former he demolished, the latter he kept: and in these exploits he had an unusual honour done him, which, though it was a slight thing, yet was very pleasant to him: Maximilian the Emperor taking pay in his army, amounting to a hundred crowns a day, and upon all public solemnities giving the King the precedence.

A war with France

Aug 24, and Oct 2, 1513.

The peace between England and France was made firmer by Lewis, the French King's marrying the King's sister; but he dying soon after, new counsels were to be taken. Francis, who succeeded, did in the beginning of his reign, court this King with great offers to renew the peace with him, which was accordingly done. Afterwards Francis falling in with all his force upon the duchy of Milan, all endeavours were used to engage King Henry into the war, both by the Pope and Emperor, this last feeding him long with hopes of resigning the empire to him, which wrought much on him; insomuch that he did give them a great supply in money, but he could not be engaged to divert Francis by making war upon him: and Francis ending the war of Italy by a peace, was so far from resenting what the King had done, that he courted him into straiter league, and a match was agreed between the Dauphin and the Lady Mary, the King's daughter, and Tourney was delivered up to the French again.

Aug 7, 1514 A peace, and a match with France.

Oct 9 Lewis dies, Jan 1, 1515

Lady Mary betrothed to the Dauphin, Oct. 8, 1518.

But now Charles, archduke of Austria by his father, and heir to the house of Burgundy by his grand-

mother, and to the crown of Spain by his mother, began to make a great figure in the world; and his grandfather, Maximilian, dying, Francis and he were co-rivals for the empire: but Charles being preferred in the competition, there followed, what through personal animosities, what through reason of state, and a desire of conquest, lasting wars between them; which, though they were sometimes for a while closed up, yet were never clearly ended. And those two great monarchs, as they eclipsed most other princes about them, so they raised this King's glory higher, both courting him by turns, and that not only by earnest and warm addresses, but oft by unusual submissions; in which they, knowing how great an ingredient vanity was in his temper, were never deficient when their affairs required it. All which tended to make him appear greater in the eyes of his own people. In the year 1520, there was an interview agreed on between the French King and him; but the Emperor, to prevent the effects he feared from it, resolved to outdo the French King in the compliment, and, without any treaty or previous assurances, came to Dover, and solicited the King's friendship against Francis: and to advance his design gained Cardinal Wolsey, who then governed all the King's counsels, by the promise of making him pope; in which he judged he might, for a present advantage, promise a thing that seemed to be at so great a distance (Pope Leo the Tenth being then but a young man), and with rich presents, which he made both to the King, the Cardinal, and all the court, wrought much on them. But that which prevailed most with the King was, that he saw, though Charles had great dominions, yet they lay at such a distance, that France alone was a sufficient counterpoise to him; but if Francis could keep Milan, recover Naples, Burgundy, and Navarre, to all which he was then preparing, he would be an uneasy neighbour to himself; and if he kept the footing he then had in Italy, he would lie so heavily on the papacy, that the popes could no longer carry equally in the affairs of Christendom upon which

Ende. Jan. 12, 1519. Charles elected, June 28.

1520.

The Emperor comes to England May 26.

much depended, according to the religion of that time. Therefore he resolved to take part with the Emperor, till at least Francis was driven out of Italy, and reduced to juster terms: so that the following
June 7. interview, between Francis and him, produced nothing but a vast expense and high compliments; and from
July 10. a second interview, between the King and the Emperor, Francis was full of jealousy, in which what
A second war with France. followed justified his apprehensions; for the war going on between the Emperor and Francis, the King entered into a league with the former, and made war upon France.

Leo X dies, Dec. 1, 1521. But the Pope dying sooner than it seems the Emperor looked for, Cardinal Wolsey claimed his promise for the papacy; but before the messenger came
Adrian chosen pope, Jan. 9, 1522 to him, Adrian, the Emperor's tutor, was chosen pope: yet to feed the Cardinal with fresh hopes, a new promise was made for the next vacancy, and in the meanwhile he was put in hope of the archbishopric of To-
He died Sept 14, 1523 ledo. But two years after, that Pope dying, the Emperor again broke his word with him; yet though he was thereby totally alienated from him, he concealed
Clement the VIIth chosen, Nov 19. his indignation till the public concerns should give him a good opportunity to prosecute it upon a better colour; and by his letters to Rome, dissembled* his resentments so artificially, that in a congratulation he wrote to Pope Clement, he "protested his election was matter of such joy both to the King and himself, that nothing had ever befallen them which pleased them better, and that he was the very person whom
1522. they had wished to see raised to that greatness." But while the war went on, the Emperor did cajole the King with the highest compliments possible, which
Emperor landed at Dover, May 26 always wrought much on him, and came in person into England to be installed knight of the garter, where a new league was concluded, by which, besides mutual assistance, a match was agreed on between the Em-

* The Cardinal's *dissimulation* upon this occasion has been questioned, and possibly with reason, as far as regarded *Clement*, whose election the King's ambassadors were instructed to promote to the utmost of their power, if Wolsey's own chance of success should become doubtful. See the corrections at the end of the History of the Reformation in other editions, and Collier, 11. 19.—N

peror and Lady Mary, the King's only child by his Queen, of whom he had no hopes of more issue. This was sworn to on both hands, and the Emperor was obliged, when she was of age, to marry her, *per verba de præsenti*, under pain of excommunication and the forfeiture of 100,000*l*. The Emperor contracted to the King's daughter. June 19.

The war went on with great success on the Emperor's part, especially after the battle of Pavia, in which Francis's army was totally defeated, and himself taken prisoner and carried into Spain. After which, the Emperor being much offended with the Pope for joining with Francis, turned his arms against him, which were so successful that he besieged and took Rome, and kept the Pope a prisoner six months. May 6. 1527.

The Cardinal, finding the public interests concur so happily with his private distastes, engaged the King to take part with France, and afterwards with the Pope against the Emperor, his greatness now becoming the terror of Christendom; for the Emperor, lifted up with his success, began to think of no less than a universal empire. And first, that he might unite all Spain together, he preferred a match with Portugal, to that which he had before contracted in England: and he thought it not enough to break off his sworn alliance with the King, but he did it with a heavy imputation on the Lady Mary: for in his council it was said that she was illegitimate, as being born in an unlawful marriage, so that no advantage could be expected from her title to the succession, as will appear more particularly in the Second Book. And the Pope having dispensed with the oath, he married the Infanta of Portugal. Besides, though the King of England had gone deep in the charge, he would give him no share in the advantages of the war; much less give him that assistance which he had promised him, to recover his ancient inheritance in France. The King being irritated with this manifold ill usage, and led on by his own interests, and by the offended Cardinal, joined himself to the interests of France. Upon which there followed, not only a firm alliance, but a personal friendship, which appeared in all the most

obliging expressions that could be devised. And upon the King's threatening to make war on the Em-
Mar 18, 1526 peror, the French King was set at liberty, though on very hard terms, if any thing can be hard that sets a king out of prison; but he still acknowledged he owed his liberty to King Henry.

The Clementine League, May 22, 1526. Then followed the famous Clementine League between the Pope and Francis, the Venetians, the Florentines, and Francis Sforza, duke of Milan, by which the Pope absolved the French King from the oath he had sworn at Madrid, and they all united against the Emperor, and declared the King of England Protector of the League. This gave the Emperor great distaste, who complained of the Pope as an ungrateful and perfidious person. The first beginning of the storm fell heavy on the Pope; for the French King, who had a great mind to have his children again into his own hands, that lay hostages in Spain, went on but slowly in performing his part. And the King of England would not openly break with the Emperor, but seemed to reserve himself to be arbiter between the princes. So that the Colonnas, being
Sept. 20. of the imperial faction, with 3000 men entered Rome, and sacked a part of it, forcing the Pope to fly into the castle of St. Angelo, and to make peace with the Emperor. But as soon as that fear was over, the Pope, returning to his old arts, complained of the Cardinal of Colonna, and resolved to deprive him of that dignity, and with an army entered the kingdom of Naples, taking divers places that belonged to that family. But the confederates coming slowly to his assistance, and he hearing of great forces that were coming from Spain against him, submitted himself to the Emperor, and made a cessation of arms; but being again encouraged with some hopes from his allies, and (by a creation of fourteen cardinals for
1527. money) having raised 300,000 ducats, he disowned the treaty, and gave the kingdom of Naples to Count Vaudemont, whom he sent with forces to subdue it. But the Duke of Bourbon prevented him, and went to Rome, and giving the assault, in which himself

received his mortal wound, the city was taken by storm, and plundered for several days, about 5000 being killed. The Pope, with seventeen cardinals, fled to the castle of St. Angelo, but was forced to render his person, and to pay 400,000 ducats to the army. Rome taken and sacked, May 16.

This gave great offence to all the princes of Christendom, except the Lutherans of Germany; but none resented it more loudly than this King, who sent over Cardinal Wolsey to make up a new treaty with Francis, which was chiefly intended for setting the Pope at liberty. Nor did the Emperor know well how to justify an action which seemed so inconsistent with his devotion to the see of Rome; yet the Pope was for some months detained a prisoner, till at length the Emperor having brought him to his own terms, ordered him to be set at liberty. but he being weary of his guards, escaped in a disguise, and owned his liberty to have flowed chiefly from the King's endeavours to procure it. And thus stood the King as to foreign affairs: he had infinitely obliged both the Pope and the French King, and was firmly united to them, and engaged in a war against the Emperor, when he began first to move about his divorce. July 11. Dec 9.

As for Scotland, the near alliance between him and James the Fourth, king of Scotland, did not take away the standing animosities between the two nations, nor interrupt the alliance between France and Scotland. And therefore when he made the first war upon France, in the fourth year of his reign, the King of Scotland came with a great army into the north of England, but was totally defeated by the Earl of Surrey in Flodden Field. The King himself was either killed in the battle, or soon after; so that the kingdom falling under factions, during the minority of the new king, the government was but feeble, and scarce able to secure its own quiet. And the Duke of Albany, the chief instrument of the French faction, met with such opposition from the parties that were raised against him by King Henry's means, that he could give him no disturbance. And when there came to The King's success against Scotland. Sept 9. 1513.

be a lasting peace between England and France, then, as the King needed to fear no trouble from that warlike nation, so he got a great interest in the government there. And at this time money becoming a more effectual engine than any the war had ever produced, and the discovery of the Indies having brought great wealth into Europe, princes began to deal more in that trade than before: so that both France and England had their instruments in Scotland, and gave considerable yearly pensions to the chief heads of parties and families. In the search I have made, I have found several warrants for sums of money, to be sent into Scotland, and divided there among the favourers of the English interest; and it is not to be doubted but France traded in the same manner, which continued till a happier way was found out for extinguishing these quarrels, both the crowns being set on one head.

His counsels at home

Having thus shewed the state of this King's government as to foreign matters, I shall next give an account of the administration of affairs at home, both as to civil and spiritual matters. The King upon his first coming to the crown did choose a wise council, partly out of those whom his father had trusted, partly out of those that were recommended to him by his grandmother, the Countess of Richmond and Derby, in whom was the right of the house of Lancaster, though she willingly devolved her pretensions on her son, claiming nothing to herself, but the satisfaction of being mother to a king. She was a wise and re-
1509 ligious woman, and died soon after her grandson came to the crown. There was a faction in the council, between Fox, bishop of Winchester, and the Lord Treasurer, which could never be well made up, though they were often reconciled: Fox always complaining of the Lord Treasurer, for squandering away so soon that vast mass of treasure left by the King's father, in which the other justified himself, that what he did was by the King's warrants, which he could not disobey: but Fox objected that he was too easy to answer, if not to procure these warrants, and that he

ought to have given the King better advice. In the King's first parliament things went as he desired, upon his delivering up Empson and Dudley, in which his preventing the severity of the houses, and proceeding against them at the common law, as it secured his ministers from an unwelcome precedent, so the whole honour of it fell on the King's justice. Jan. 21 1510.

His next parliament was in the third year of his reign, and there was considered the brief from Pope Julius the Second to the King, complaining of the indignities and injuries done to the apostolic see and the Pope by the French King, and entreating the King's assistance with such cajoling words as are always to be expected from popes on the like occasions. It was first read by the Master of the Rolls in the House of Lords, and then the Lord Chancellor (Warham, archbishop of Canterbury), and the Lord Treasurer, with other lords, went down to the House of Commons and read it there. Upon this and other reasons they gave the King subsidies towards the war with France. At this time Fox, to strengthen his party against the Lord Treasurer, finding Thomas Wolsey to be a likely man to get into the King's favour, used all his endeavours to raise him, who was at that time neither unknown nor inconsiderable: he was at first made a privy counsellor, and frequently admitted to the King's presence, and waited on him over to France. The King liked him well, which he so managed that he quickly engrossed the King's favour to himself, and for fifteen years together was the most absolute favourite that had ever been seen in England: all foreign treaties and places of trust at home were at his ordering; he did what he pleased, and his ascendant over the King was such, that there never appeared any party against him all that while. The great artifice by which he insinuated himself so much on the King, is set down very plainly by one that knew him well, in these words: "In him the King conceived such a loving fancy, especially for that he was most earnest and readiest in all the council to advance the King's only will and pleasure, hav- Feb. 4. 1512. Cardinal Wolsey's rising. Cavendish's Life of Wolsey, MSS. in Biblioth. Neb D. C Pierpoint.

ing no respect to the case; and whereas the ancient counsellors would, according to the office of good counsellors, divers times persuade the King to have sometime a recourse unto the council, there to hear what was done in weighty matters; the King was nothing at all pleased therewith; for he loved nothing worse than to be constrained to do any thing contrary to his pleasure, and that knew the almoner very well, having secret insinuations of the King's intentions; and so fast as the others counselled the King to leave his pleasures, and to attend to his affairs, so busily did the almoner persuade him to the contrary, which delighted him much, and caused him to have the greater affection and love to the almoner." Having got into such power, he observed the King's inclinations exactly, and followed his interests closely: for though he made other princes retain him with great presents and pensions, yet he never engaged the King into any alliance, but what was for his advantage. For affairs at home, after he was established in his greatness, he affected to govern without parliaments, there being from the seventh year of his reign, after which he got the great seal, but one parliament in the fourteenth and fifteenth year, and no more till the one-and-twentieth, when matters were turning about: but he raised great sums of money by loans and benevolences. And indeed if we look on him as a minister of state, he was a very extraordinary person; but as he was a churchman, he was the disgrace of his profession. He not only served the King in all his secret pleasures, but was lewd and vicious himself; so that his having the French pox (which in those days was a matter of no small infamy) was so public, that it was brought against him in parliament, when he fell in disgrace: he was a man of most extravagant vanity, as appears by the great state he lived in; and, to feed that, his ambition and covetousness were proportionable.

He was first made bishop of Tourney, when that town was taken from the French; then he was made bishop of Lincoln,[a] which was the first bishopric that

fell void in this kingdom; after that, upon Cardinal Bembridge's death, he parted with Lincoln and was made archbishop of York;[b] then Hadrian, that was a cardinal and bishop of Bath and Wells, being deprived, that see[c] was given to him; then the abbey of St. Albans[d] was given to him *in comendam:* he next parted with Bath and Wells, and got the bishopric of Duresme,[e] which he afterwards exchanged for the bishopric of Winchester.[f] But besides all that he had in his own hands, the King granted him a full power of disposing of all the ecclesiastical benefices in England (which brought him in as much money as all the places he held); for having so vast a power committed to him, both from the King and the Pope, as to church preferments, it may be easily gathered what advantages a man of his temper would draw from it. Warham was lord chancellor the first seven years of the King's reign, but retired to give place to his aspiring favourite, who had a mind to the great seal, that there might be no interfering between the legantine and chancery courts. And perhaps it wrought somewhat on his vanity, that even after he was cardinal, Warham, as lord chancellor, took place of him, as appears from the entries made in the Journals of the House of Peers in the parliament held the seventh year of the King's reign, and afterwards gave him place, as appears on many occasions, particularly, in the letter written to the Pope, 1530, set down by the Lord Herbert, which the Cardinal subscribed before Warham. We have nothing on record to shew what a speaker he was, for all the Journals of parliament from the seventh to the twenty-fifth year of this King are lost; but it is like he spoke, as his predecessor in that office Warham did, whose speeches as they are entered in the Journals, are sermons begun with a text of Scripture; which he expounded and applied to the business they were to go upon, stuffing them with the most fulsome flattery of the King that was possible.

The next in favour and power was the Lord Treasurer, restored to his father's honour of Duke of Nor-

[a] March 5. Regni, 1. part Rot. par.
[b] Nov 6 Regni, 1 part R. P.
[c] Aug 28 10 Regni, 1 part R. P.
[d] Dec. 7. 13 Regni, 3 part R. P.
[e] April 30. 15 Regni, 2 part R. P.
[f] May 4 20 Regni 2 part R. P.

folk, to whom his son succeeded in that office, as well as in his hereditary honours; and managed his interest with the King so dexterously, that he stood in all the changes that followed, and continued lord treasurer during the reign of this King, till near the end of it, when he fell through jealousy, rather than guilt; this shewed how dexterous a man he was, that could stand so long in that employment under such a King.

But the chief favourite in the King's pleasures, was Charles Brandon, a gallant graceful person, one of the strongest men of the age, and so a fit match for the King at his justs and tiltings, which was the manly diversion of that time, and the King taking much pleasure in it, being of a robust body, and singularly expert at it, he who was so able to second him in these courses, grew mightily in his favour; so that he made him first Viscount Lisle, and some months after, Duke of Suffolk. Nor was he less in the ladies' favours, than the king's; for his sister the Lady Mary liked him, and being but so long married to King Lewis of France, as to make her queen-dowager of France, she resolved to choose her second husband herself, and cast her eye on the Duke of Suffolk, who was then sent over to the court of France. Her brother had designed the marriage between them, yet would not openly give his consent to it; but she, by a strange kind of wooing, prefixed him the term of four days to gain her consent, in which she told him, if he did not prevail, he should for ever lose all his hopes of having her, though, after such a declaration, he was like to meet with no great difficulty from her. So they were married, and the King was easily pacified and received them into favour; neither did his favour die with her, for it continued all his life: but he never meddled much in business, and by all that appears was a better courtier than statesman. Little needs be said of any other person more than will afterwards occur.

May 15, 5to Reg 1 part. Rot pat.

April 1515

Lady Mary died, June 23, 1533

The King loved to raise mean persons, and upon the least distaste to throw them down: and, falling into disgrace, he spared not to sacrifice them to public discontents. His court was magnificent, and his ex-

pense vast; he indulged himself in his pleasures: and the hopes of children (besides the Lady Mary) failing by the Queen, he who of all things desired issue most, kept one Elizabeth Blunt, by whom he had Henry Fitzroy, whom in the seventeenth year of his reign he created Earl of Nottingham, and the same day made him Duke of Richmond and Somerset, and intended afterwards to have put him in the succession of the crown after his other children; but his death prevented it.

June 17. 18 Reg. Ro. Pal

Duke of Richmond died, June 22, 1536

As for his parliaments, he took great care to keep a good understanding with them, and chiefly with the House of Commons, by which means he seldom failed to carry matters as he pleased among them. only in the parliament held in the fourteenth and fifteenth of his reign, the demand of the subsidy towards the war with France, being so high as 800,000 lib. the fifth of men's goods and lands to be paid in four years, and the Cardinal being much hated, there was great opposition made to it; for which the Cardinal blamed Sir Thomas More much, who was then speaker of the House of Commons; and finding that which was offered, was not above the half of what was asked, went himself to the House of Commons, and desired to hear the reasons of those who opposed his demands, that he might answer them. but he was told the order of their House was to reason only among themselves, and so went away much dissatisfied. It was with great difficulty that they obtained a subsidy of three shillings in the lib. to be paid in four years. This disappointment, it seems, did so offend the Cardinal, that as no parliament had been called for seven years before, so there was none summoned for seven years after. And thus stood the civil government of England in the nineteenth year of the King's reign, when the matter of divorce was first moved. But I shall next open the state of affairs in reference to religious and spiritual concerns.

King Henry was bred with more care than had been usually bestowed on the education of princes for many ages, who had been only trained up to those exercises

He was bred a scholar.

that prepared them to war; and if they could read and write, more was not expected of them. But learning began now to flourish; and as the house of Medici in Florence had great honour by the protection it gave to learned men, so other princes every where cherished the muses. King Henry the Seventh, though illiterate himself, yet took care to have his children instructed in good letters. And it generally passes current that he bred his second son a scholar, having designed him to be archbishop of Canterbury, but that has no foundation; for the writers of that time tell, that his elder brother, Prince Arthur, was also bred a scholar. And all the instruction King Henry had in learning, must have been after his brother was dead, when that design had vanished with his life. For he being born the twenty-eighth of June, 1491, and Prince Arthur dying the second of April, 1502, he was not full eleven years of age when he became prince of Wales,* at which age princes have seldom made any great progress in learning. But King Henry the Seventh, judging either that it would make his sons greater princes, and fitter for the management of their affairs, or being jealous of their looking too early into business, or their pretending to the crown upon their mother's title, which might have been a dangerous competition to him, that was so little beloved by his subjects, took this method for amusing them with other things: thence it was that his son was the most learned prince that had been in the world for many ages, and deserved the title Beau-clerke, on a better account than his predecessor, that long before had carried it.

* Here it is supposed that the next heir-apparent of the crown was prince of Wales. The heir-apparent of the crown is indeed prince, but is not prince of Wales, strictly speaking, unless he has it given him by creation. And it is said, that there is nothing on record to prove that any of King Henry's children were ever created prince of Wales. There are indeed some hints of the Lady Mary's being styled Princess of Wales for when a family was appointed for her, 1525, Veysey, bishop of Exeter, her tutor, was made president of Wales. She also is said to have kept her house at Ludlow, and Leland says, that Teken Hill, a house in those parts built for Prince Arthur, was repaired for her. And Tho. Linacre dedicates his "Rudiments of Grammar" to her, by the title of Princess of Cornwall and Wales.—[Henry is said (book iii. anno 1547, and vol. ii. p. 4.) to have *intended* to *create* Edward Prince of Wales, but to have been prevented by death, and the same is noticed in Edward's own Journal. Elizabeth was, by the King, *declared* to be Princess of Wales, on her birth, though only heir presumptive, and contrary to the opinion of the lawyers.—N.]

The learning then in credit, was either that of the schools, about abstruse questions of divinity, which from the days of Lombard were debated and descanted on with much subtlety and nicety, and exercised all speculative divines; or the study of the canon law, which was the way to business and preferment. To the former of these the King was much addicted, and delighted to read often in Thomas Aquinas, and this made Cardinal Wolsey more acceptable to him, who was chiefly conversant in that sort of learning. He loved the purity of the Latin tongue, which made him be so kind to Erasmus, that was the great restorer of it, and to Polydore Virgil; though neither of these made their court dexterously with the Cardinal, which did much intercept the King's favour to them; so that the one left England, and the other was but coarsely used in it, who has sufficiently revenged himself upon the Cardinal's memory. The philosophy then in fashion was so intermixed with their divinity, that the King understood it too, and was also a good musician, as appears by two whole masses which he composed. He never wrote well, but scrawled so that his hand was scarce legible

Being thus inclined to learning, he was much courted by all hungry scholars, who generally over Europe dedicated their books to him, with such flattering epistles, that it very much lessens him, to see how he delighted in such stuff. For if he had not taken pleasure in it, and rewarded them, it is not likely that others should have been every year writing after such ill copies. Of all things in the world, flattery wrought most on him; and no sort of flattery pleased him better than to have his great learning and wisdom commended. And in this, his parliaments, his courtiers, his chaplains, foreigners and natives, all seemed to vie who should exceed most, and came to speak to him in a style which was scarce fit to be used to any creature. But he designed to entail these praises on his memory, cherishing churchmen more than any king in England had ever done; he also courted the Pope with a constant submission, and upon all occa-

sions made the Pope's interest his own, and made war and peace as they desired him. So that had he died any time before the nineteenth year of his reign he could scarce have escaped being canonized, notwithstanding all his faults; for he abounded in those virtues which had given saintship to kings for near a thousand years together, and had done more than they all did, by writing a book for the Roman faith.

The king's prerogative in ecclesiastical matters

England had for above three hundred years been the tamest part of Christendom to the papal authority, and had been accordingly dealt with. But though the parliaments, and two or three high-spirited kings, had given some interruption to the cruel exactions and other illegal proceedings of the court of Rome, yet that court always gained their designs in the end. But even in this King's days, the crown was not quite stripped of all its authority over spiritual persons. The investitures of bishops and abbots, which had been originally given by the delivery of the pastoral ring and staff, by the kings of England, were, after some opposition, wrung out of their hands: yet I find they retained another thing, which upon the matter was the same. When any see was vacant a writ was issued out of the chancery for seizing on all the temporalities of the bishoprick, and then the king recommended one to the pope, upon which his bulls were expeded at Rome, and so by a warrant from the pope he was consecrated, and invested in the spiritualities of the see, but was to appear before the king, either in person or by proxy, and renounce every clause in his letters and bulls, that were or might be prejudicial to the prerogative of the crown, or contrary to the laws of the land, and was to swear fealty and allegiance to the king. And after this a new writ was issued out of the chancery, bearing that this was done, and that thereupon the temporalities should be restored. Of this there are so many precedents in the records, that every one that has searched them must needs find them in every year; but when this began, I leave to the more learned in the law to discover. And for proof of it the reader will find in the Collection the fullest

Custodia temporalities

Restitutio temporalitatis.

Collect. Numb 1

record which I met with concerning it in Henry the Seventh's reign, of Cardinal Adrian's being invested in the bishoprick of Bath and Wells. So that upon the matter the kings then disposed of all bishopricks, keeping that still in their own hands which made them most desired in those ages; and so had the bishops much at their devotion.

But King Henry in a great degree parted with this, by the above-mentioned power granted to Cardinal Wolsey, who being legate as well as lord chancellor, it was thought a great error in government, to lodge such a trust with him, which might have passed into a precedent, for other legates pretending to the same power; since the papal greatness had thus risen, and oft upon weaker grounds, to the height it was then at. Yet the King had no mind to suffer the laws made against the suing out of bulls in the Court of Rome without his leave to be neglected, for I find several licenses granted to sue bulls in that court, bearing for their preamble the statute of the sixteenth of Richard the Second against the Pope's pretended power in England.

License to the Prior of Peterborough Nov. 9 1 part 24 Reg Rot 1 at

But the immunity of ecclesiastical persons was a thing that occasioned great complaints. And good cause there was for them For it was ordinary for persons after the greatest crimes to get into orders; and then not only what was past must be forgiven them, but they were not to be questioned for any crime after holy orders given, till they were first degraded, and till that was done, they were the bishop's prisoners Whereupon there arose a great dispute in the beginning of this King's reign, of which none of our historians having taken any notice, I shall give a full account of it.

King Henry the Seventh, in his fourth parliament, did a little lessen the privileges of the clergy, enacting that clerks convicted should be burnt in the hand. But this not proving a sufficient restraint, it was enacted in parliament in the fourth year of this King, that all murderers and robbers should be denied the benefit of their clergy. But though this seemed a

A contest about the ecclesiastical immunity Keilway's Reports

very just law, yet to make it pass through the House of Lords, they added two provisos to it—the one, for excepting all such as were within the holy orders of bishop, priest, or deacon; the other, that the act should only be in force till the next parliament. With these provisos it was unanimously assented to by the Lords on the 26th of January, 1513, and being agreed to by the Commons, the royal assent made it a law. pursuant to which, many murderers and felons were denied their clergy, and the law passed on them to the great satisfaction of the whole nation. But this gave great offence to the clergy, who had no mind to suffer their immunities to be touched or lessened. And judging, that if the laity made bold with inferior orders, they would proceed further even against sacred orders; therefore, as their opposition was such, that the act not being continued, did determine at the next parliament (that was in the fifth year of the King), so they, not satisfied with that, resolved to fix a censure on that act as contrary to the franchises of the holy church. And the Abbot of Winchelcomb being more forward than the rest, during the session of parliament in the seventh year of this King's reign, in a sermon at Paul's Cross, said openly, That that act was "contrary to the law of God, and to the liberties of the holy church, and that all who assented to it, as well spiritual as temporal persons, had, by so doing, incurred the censures of the church." And for confirmation of his opinion, he published a book to prove, that all clerks, whether of the greater or lower orders, were sacred, and exempted from all temporal punishment by the secular judge, even in criminal cases. This made great noise, and all the temporal lords, with the concurrence of the House of Commons, desired the King to suppress the growing insolence of the clergy. So there was a hearing of the matter before the King, with all the judges and the King's temporal council. Doctor Standish, guardian of the Mendicant Friars in London (afterwards bishop of St. Asaph), the chief of the King's spiritual council, argued, That by the law, clerks had been

still convened and judged in the King's court for civil crimes, and that there was nothing either in the laws of God or the church inconsistent with it; and that the public good of the society, which was chiefly driven at by all laws, and ought to be preferred to all other things, required that crimes should be punished. But the Abbot of Winchelcomb, being counsel for the clergy, excepted to this, and said, "There was a decree made by the church expressly to the contrary, to which all ought to pay obedience under the pain of mortal sin, and that therefore the trying of clerks in the civil courts was a sin in itself" Standish upon this turned to the King and said, "God forbid that all the decrees of the church should bind. It seems the bishops think not so, for though there is a decree that they should reside at their cathedrals all the festivals of the year, yet the greater part of them do it not," adding, that no decree could have any force in England till it was received there, and that this decree was never received in England, but that, as well since the making of it, as before, clerks had been tried for crimes in the civil courts To this the Abbot made no answer, but brought a place of Scripture to prove this exemption to have come from our Saviour's words, *Nolite tangere christos meos*, Touch not mine anointed, and therefore princes ordering clerks to be arrested and brought before their courts, was contrary to Scripture, against which no custom can take place Standish replied, these words were never said by our Saviour, but were put by David in his Psalter one thousand years before Christ; and he said these words had no relation to the civil judicatories, but because the greatest part of the world was then wicked, and but a small number believed the law, they were a charge to the rest of the world, not to do them harm But though the Abbot had been very violent, and confident of his being able to confound all that held the contrary opinion, yet he made no answer to this. The laity that were present being confirmed in their former opinion by hearing the matter thus argued, moved the bishops

to order the Abbot to renounce his former opinion, and recant his sermon at Paul's Cross. But they flatly refused to do it, and said they were bound by the laws of the holy church to maintain the Abbot's opinion in every point of it. Great heats followed upon this during the sitting of the parliament, of which there is a very partial entry made in the journal of the Lords' House; and no wonder, the clerk of the parliament, Dr. Tylor, doctor of the canon law, being at the same time speaker of the Lower House of Convocation. The entry is in these words: "In this parliament and convocation, there were most dangerous contentions between the clergy and the secular power, about the ecclesiastical liberties; one Standish, a minor friar, being the instrument and promoter of all that mischief." But a passage fell out, that made this matter be more fully prosecuted in the Michaelmas term. One Richard Hunne, a merchant-tailor in London, was questioned by a clerk in Middlesex for a mortuary, pretended to be due for a child of his that died five weeks old. The clerk claiming the beering-sheet, and Hunne refusing to give it; upon that he was sued, but his counsel advised him to sue the clerk in a *præmunire*, for bringing the King's subjects before a foreign court; the spiritual court sitting by authority from the legate. This touched the clergy so in the quick, that they used all the arts they could to fasten heresy on him; and understanding that he had Wickliff's Bible, upon that he was attached of heresy, and put in the Lollard's tower at Paul's, and examined upon some articles objected to him by Fitz-James, then bishop of London. He denied them as they were charged against him, but acknowledged he had said some words sounding that way, for which he was sorry, and asked God's mercy, and submitted himself to the Bishop's correction; upon which he ought to have been enjoined penance, and set at liberty; but he persisting still in his suit in the King's courts, they used him most cruelly. On the 4th of December he was found hanged in the chamber where he was kept pri-

Made clerk, Octob 29. 1 Reg Rot Pat Part 1°

Journal procerum 7 Hen 8 Dissolutum et finitum fuit hoc parliamentum 22 Dec 1515 Johanne Tylor, juris pontificii Doct Clerico parliamentorum Domini Regis et eodem tempore Prolocutore Convocationis Cleri, quod raro accidit In hoc parliamento et convocatione periculosissimæ seditiones exortæ sunt inter clerum et secularem potestatem super libertatibus Ecclesiasticis, quodam fratre minore, nomine Standish, omnium malorum ministro ac stimulatore. Hall and Fox

soner.* And Dr. Horsey, chancellor to the Bishop of London, with the other officers who had the charge of the prison, gave it out that he had hanged himself. But the Coroner of London coming to hold an inquest on the dead body, they found him hanging so loose, and in a silk girdle, that they clearly perceived he was killed; they also found his neck had been broken, as they judged, with an iron chain, for the skin was all fretted and cut; they saw some streams of blood about his body, besides several other evidences, which made it clear he had not murdered himself; whereupon they did acquit the dead body, and laid the murder on the officers that had the charge of that prison: and by other proofs they found the Bishop's Sumner and the Bell-ringer guilty of it; and by the deposition of the Sumner himself, it did appear, that the Chancellor and he, and the Bell-ringer, did murder him, and then hang him up.

* Hunne hanged in prison

But as the inquest proceeded in this trial, the Bishop began a new process against the dead body of Richard Hunne, for other points of heresy; and several articles were gathered out of Wickliff's preface to the Bible with which he was charged. And his having the book in his possession being taken for good evidence, he was judged an heretic, and his body delivered to the secular power. When judgment was given, the Bishops of Duresme and Lincoln, with many doctors both of divinity and the canon law, sat with the Bishop of London; so that it was looked on as an act of the whole clergy, and done by common consent. On the 20th of December his body was burnt at Smithfield.

And his body burned, Dec. 20, 1514

But this produced an effect very different from what was expected; for it was hoped that he being found an heretic, nobody should appear for him any more: whereas, on the contrary, it occasioned a great outcry, the man having lived in very good reputation among his neighbours: so that after that day the city of London was never well affected to the popish clergy, but inclined to follow any body who spoke against them, and every one looked on it as a cause of com-

mon concern. All exclaimed against the cruelty of their clergy, that for a man's suing a clerk according to law, he should be long and hardly used in a severe imprisonment, and at last cruelly murdered; and all this laid on himself to defame him, and ruin his family. And then to burn that body which they had so handled, was thought such a complication of cruelties, as few barbarians had ever been guilty of. The Bishop finding that the inquest went on, and the whole matter was discovered, used all possible endeavours to stop their proceedings; and they were often brought before the King's council, where it was pretended that all proceeded from malice and heresy. The Cardinal laboured to procure an order to forbid their going any further, but the thing was both so foul and so evident that it could not be done: and that opposition made it more generally believed. In the parliament there was a bill sent up to the Lords by the Commons for restoring Hunne's children, which was passed, and had the royal assent to it; but another bill being brought in about this murder, it occasioned great heats among them. The Bishop of London said that Hunne had hanged himself, that the inquest were false perjured caitiffs, and if they proceeded further, he could not keep his house for heretics; so that the bill which was sent up by the Commons was but once
April 3 read in the House of Lords, for the power of the clergy was great there. But the trial went on, and both the Bishop's Chancellor and the Sumner were indicted as principals in the murder.

The convocation that was then sitting, finding so great a stir made, and that all their liberties were now struck at, resolved to call Dr. Standish to an account for what he had said and argued in the matter; so he being summoned before them, some articles were objected to him by word of mouth, concerning the judging of clerks in civil courts; and the day following, they being put in writing, the bill was delivered to him, and a day assigned for him to make answer. The Doctor perceiving their intention, and judging it would go hard with him, if he were tried

before them, went and claimed the King's protection, from this trouble that he was now brought in, for discharging his duty as the King's spiritual counsel. But the clergy made their excuse to the King, that they were not to question him for any thing he had said as the King's counsel; but for some lectures he read at St. Paul's and elsewhere, contrary to the law of God and liberties of the holy church, which they were bound to maintain; and desired the King's assistance, according to his coronation oath, and as he would not incur the censures of the holy church. On the other hand, the temporal lords and judges, with the concurrence of the House of Commons, addressed the King to maintain his coronation oath, and to protect Standish from the malice of his enemies.

This put the King in great perplexity, for he had no mind to lose any part of his temporal jurisdiction, and on the other hand was no less apprehensive of the dangerous effects that might follow on a breach with the clergy. So he called for Dr. Veysey, then dean of his chapel, and afterwards bishop of Exeter, and charged him upon his allegiance to declare the truth to him in that matter: which after some study he did, and said, upon his faith, conscience, and allegiance, he did think that the convening of clerks before the secular judge, which had been always practised in England, might well consist with the law of God and the true liberties of the holy church. This gave the King great satisfaction; so he commanded all the judges, and his council both spiritual and temporal, and some of both Houses, to meet at Blackfriars, and to hear the matter argued. The bill against Dr. Standish was read, which consisted of six articles that were objected to him. "First, that he had said that the lower orders were not sacred. Secondly, that the exemption of clerks was not founded on a divine right. Thirdly, that the laity might coerce clerks when the prelates did not their duty. Fourthly, that no positive ecclesiastical law binds any but those who receive it. Fifthly, that the study of the canon law was needless. Sixthly, that of the whole volume

of the *Decretum*, so much as a man could hold in his fist, and no more, did oblige Christians." To these Dr. Standish answered, That for those things expressed in the third, the fifth, and the sixth articles, he had never taught them; as for his asserting them at any time in discourse, as he did not remember it, so he did not much care, whether he had done it or not. To the first, he said, lesser orders in one sense are sacred, and in another they are not sacred. For the second and fourth, he confessed he had taught them, and was ready to justify them. It was objected by the clergy, that as, by the law of God, no man could judge his father, it being contrary to that commandment, "Honour thy father:" so churchmen being spiritual fathers, they could not be judged by the laity, who were their children. To which he answered, That as that only concluded in favour of priests, those inferior orders not being fathers; so it was a mistake to say a judge might not sit upon his natural father, for the judge was by another relation above his natural father: and though the commandment is conceived in general words, yet there are some exceptions to be admitted; as though it be said, "Thou shalt not kill," yet in some cases we may lawfully kill; so in the case of justice a judge may lawfully sit on his father.

But Dr. Veysey's argument was that which took most with all that were present. He said, it was certain that the laws of the church did not bind any but those who received them. To prove this, he said, that in old times all secular priests were married; but in the days of St. Augustine, the apostle of England, there was a decree made to the contrary, which was received in England, and in many other places, by virtue whereof the secular priests in England may not marry; but this law not being universally received, the Greek church never judged themselves bound by it, so that to this day the priests in that church have wives as well as other secular men. If then the churches of the east, not having received the law of the celibate of the clergy, have never been con-

demned by the church for not obeying it; then the convening clerks having been always practised in England, was no sin, notwithstanding the decree to the contrary, which was never received here. Nor is this to be compared to those privileges that concern only a private man's interest, for the commonwealth of the whole realm was chiefly to be looked at, and to be preferred to all other things.

When the matter was thus argued on both sides, all the judges delivered their opinions, in these words: "That all those of the convocation who did award the citation against Standish, were in the case of a *præmunire facias*;" and added somewhat about the constitution of the parliament, which being foreign to my business, and contrary to a received opinion, I need not mention, but refer the reader to Keilway for his information, if he desires to know more of it. and thus the court broke up. But soon after, all the lords, spiritual and temporal, with many of the House of Commons, and all the judges and the King's council, were called before the King to Baynard's Castle; and in all their presence the Cardinal kneeled down before the King, and in the name of the clergy said, "That none of them intended to do any thing that might derogate from his prerogative, and least of all himself, who owed his advancement only to the King's favour. But this matter of convening of clerks, did seem to them all to be contrary to the laws of God and the liberties of the church, which they were bound by their oaths to maintain according to their power:" therefore in their name he humbly begged, "That the King, to avoid the censures of the church, would refer the matter to the decision of the Pope and his council, at the court of Rome." To which the King answered, "It seems to us, that Dr. Standish, and others of our spiritual council, have answered you fully in all points." The Bishop of Winchester replied, "Sir, I warrant you Dr. Standish will not abide by his opinion at his peril." But the Doctor said, "What should one poor friar do alone, against all the bishops and clergy of England?" After a short silence the Arch-

bisnop of Canterbury said, "That in former times divers holy fathers of the church had opposed the execution of that law, and some of them suffered martyrdom in the quarrel." To whom Fineux, Lord Chief Justice, said, "That many holy kings had maintained that law, and many holy fathers had given obedience to it, which it is not to be presumed they would have done, had they known it to be contrary to the law of God;" and he desired to know, by what law bishops could judge clerks for felony, it being a thing only determined by the temporal law; so that either it was not at all to be tried, or it was only in the temporal court; so that either clerks must do as they please, or be tried in the civil courts. To this no answer being made, the King said these words: "By the permission and ordinance of God we are king of England, and the kings of England in times past never had any superior, but God only. Therefore know you well that we will maintain the right of our crown, and of our temporal jurisdiction, as well in this, as in all other points, in as ample manner as any of our progenitors have done before our time. And as for your decrees, we are well assured that you of the spirituality go expressly against the words of divers of them, as hath been shewed you by some of our council; and you interpret your decrees at your pleasure, but we will not agree to them more than our progenitors have done in former times." But the Archbishop of Canterbury made most humble instance, that the matter might be so long respited, till they could get a resolution from the court of Rome, which they should procure at their own charges; and if it did consist with the law of God, they should conform themselves to the law of the land. To this the King made no answer: but the warrants being out against Dr. Horsey, the Bishop of London's chancellor, he did abscond in the Archbishop's house; though it was pretended he was a prisoner there, till afterwards a temper was found, that Horsey should render himself a prisoner in the King's Bench and be tried. But the Bishop of London made earnest appli-

cation to the Cardinal that he would move the King to command the Attorney General to confess the indictment was not true, that it might not be referred to a jury; since he said the citizens of London did so favour heresy, that if he were as innocent as Abel, they would find any clerk guilty. The King, not willing to irritate the clergy too much, and judging he had maintained his prerogative by bringing Horsey to the bar, ordered the Attorney to do so. And accordingly, when Horsey was brought to the bar, and indicted of murder, he pleaded Not Guilty; which the Attorney acknowledging, he was dismissed, and went and lived at Exeter, and never again came back to London, either out of fear or shame. And for Dr. Standish, upon the King's command, he was also dismissed out of the court of convocation.

It does not appear that the Pope thought fit to interpose in this matter. For though upon less provocations, popes had proceeded to the highest censures against princes, yet this King was otherwise so necessary to the Pope at this time, that he was not to be offended. The clergy suffered much in this business, besides the loss of their reputation with the people, who involved them all in the guilt of Hunne's murder; for now their exemption being well examined, was found to have no foundation at all but in their own decrees; and few were much convinced by that authority, since upon the matter it was but a judgment of their own, in their own favours: nor was the city of London at all satisfied with the proceedings in the King's Bench, since there was no justice done; and all thought the King seemed more careful to maintain his prerogative than to do justice.

This I have related the more fully, because it seems to have had great influence on people's minds, and to have disposed them much to the changes that followed afterwards. How these things were entered in the books of convocation, cannot be now known. For among the other sad losses sustained in the late burning of London, this was one, that almost all the registers of the spiritual courts were burnt, some few of the

archbishops of Canterbury and bishops of London's registers being only preserved. But having compared Fox's account of this and some other matters, and finding it exactly according to the registers that are preserved, I shall the more confidently build on what he published from those records that are now lost.

The King obliged the popes highly, and was much courted by them

This was the only thing in the first eighteen years of the King's reign that seemed to lessen the greatness of the clergy, but in all other matters he was a most faithful son of the see of Rome. Pope Julius, soon after his coming to the crown, sent him a golden rose, with a letter to Archbishop Warham to deliver it; and though such presents might seem fitter for young children than for men of discretion, yet the King was much delighted with it; and to shew his gratitude, there was a treaty concluded the year following between the King and Ferdinand of Arragon, for the defence of the papacy against the French King. And when, in opposition to the council that the French King and some other princes and cardinals had called, first to Pisa (which was afterwards translated to Milan), and then to Lyons, that summoned the Pope to appear before them, and suspended his authority, Pope Julius called another council to be held in the Lateran; the King sent the Bishop of Worcester, the Prior of St. John's, and the Abbot of Winchelcomb, to sit in that council, in which there was such a representative of the Catholic church as had not been for several of the later ages in the western church: in which a few bishops, packed out of several kingdoms, and many Italian bishops, with a vast number of abbots, priors, and other inferior dignified clergymen, were brought to confirm together whatever the popes had a mind to enact; which passing easily among them, was sent over the world with a stamp of sacred authority, as the decrees and decisions of the holy universal church assembled in a general council.

Collect. Numb 2.

Treaty Rolls 3 Reg

April 19, 1512

Nor was there a worse understanding between this King and Pope Leo the Tenth, that succeeded Julius,

who did also compliment him with those papal presents of roses, and at his desire made Wolsey a cardinal; and above all other things obliged him by conferring on him the title of Defender of the Faith (upon the presenting to the Pope his book against Luther), in a pompous letter, signed by the Pope, and twenty-seven cardinals, in which the King took great pleasure, affecting it always beyond all his other titles, though several of the former kings of England had carried the same title, as Spelman informs us. So easy a thing it was for popes to oblige princes in those days, when a title or a rose was thought a sufficient recompence for the greatest services.

Oct 11, 1521. L. Herbert

The Cardinal governing all temporal affairs as he did, it is not to be doubted but his authority was absolute in ecclesiastical matters, which seem naturally to lie within his province; yet Warham made some opposition to him, and complained to the king of his encroaching too much in his legantine courts upon his jurisdiction; and the things being clearly made out, the King chid the Cardinal sharply for it, who, ever after that, hated Warham in his heart, yet he proceeded more warily for the future.

But the Cardinal drew the hatred of the clergy upon himself, chiefly by a bull which he obtained from Rome, giving him authority to visit all monasteries, and all the clergy of England, and to dispense with all the laws of the church for one whole year after the date of the bull. The power that was lodged in him by this bull was not more invidious, than the words in which it was conceived were offensive; for the preamble of it was full of severe reflections against the manners and ignorance of the clergy, who were said in it to have been delivered over to a reprobate mind. This, as it was a public defaming them, so, how true soever it might be, all thought it did not become the Cardinal, whose vices were notorious and scandalous, to tax others, whose faults were neither so great nor so eminent as his were.

A bull for reforming the clergy, 10 June, 1519 L. Herbert, and article 29 of his impeachment

He did also affect a magnificence and greatness, not only in his habit (being the first clergyman in

The Cardinal's pride. Polydore Virgil.

England that wore silks), but in his family, his train, and other pieces of state, equal to that of kings. And even in performing divine offices, and saying mass, he did it with the same ceremonies that the popes use; who judge themselves so nearly related to God, that those humble acts of adoration, which are devotions in other persons, would abase them too much. He had not only bishops and abbots to serve him, but even dukes and earls to give him the water and the towel. He had certainly a vast mind; and he saw the corruptions of the clergy gave so great scandal, and their ignorance was so profound, that unless some effectual ways were taken for correcting these, they must needs fall into great disesteem with the people; for though he took great liberties himself, and, perhaps, according to the maxim of the canonists, he judged cardinals, as princes of the church, were not comprehended within ordinary ecclesiastical laws;

He designs a reformation.

yet he seemed to have designed the reformation of the inferior clergy by all the means he could think of, except the giving them a good example: therefore he intended to visit all the monasteries of England, that so discovering their corruptions, he might

And a suppression of monasteries.

the better justify the design he had to suppress most of them, and convert them into bishoprics, cathedrals, collegiate churches, and colleges; for which end he procured the bull from Rome; but he was diverted from making any use of it, by some who advised him rather to suppress monasteries by the Pope's authority, than proceed in a method which would raise great hatred against himself, cast foul aspersions on religious orders, and give the enemies of the church great advantages against it. Yet he had communicated his design to the King, and his secretary Cromwell understanding it, was thereby instructed how to proceed afterwards, when they went about the total suppression of the monasteries.

The calling of convo-

The summoning of convocations he assumed by virtue of his legantine power. Of these there were two sorts: the first was called by the King; for with the writs for a parliament, there went out always a

summons to the two Archbishops, for calling a convocation of their provinces, the style of which will be found in the Collection. It differs in nothing from what is now in use, but that the King did not prefix the day: requiring them only to be summoned to meet with all convenient speed; and the Archbishops, having the King's pleasure signified to them, did in their writs prefix the day. Other convocations were called by the Archbishops in their several provinces, upon great emergencies, to meet and treat of things relating to the church, and were provincial councils. Of this I find but one, and that called by Warham in the first year of this King, for restoring the ecclesiastical immunities that had been very much impaired, as will appear by the writ of summons. But the Cardinal did now, as legate, issue out writs for convocations. In the year 1522, I find, by the register, there was a writ issued from the King to Warham to call one, who, upon that, summoned it to meet at St. Paul's, the 20th of April. But the Cardinal prevailed so far with the King, that, on the 2d of May after, he, by his legantine authority, dissolved that convocation; and issued out a writ to Tonstall, bishop of London, to bring the clergy of Canterbury to St. Peter's in Westminster, there to meet and reform abuses in the church, and consider of other important matters that should be proposed to them. What they did towards reformation I know not, the records being lost; but as to the King's supply, it was proposed, that they should give the King the half of the full value of their livings for one year, to be paid in five years. The Cardinal laid out to them how much the King had merited from the church, both by suppressing the schism that was like to have been in the papacy in Pope Julius's time, and by protecting the See of Rome from the French tyranny; but most of all, for that excellent book written by him in defence of the faith against the heretics: and that, therefore, since the French King was making war upon him, and had sent over the Duke of Albany to Scotland to make war also on that

Collect. Numb 3.

Collect Numb 4

Reg Tonst. Fol 33, 34

side, it was fit that on so great an occasion it should appear that his clergy were sensible of their happiness in having such a king; which they ought to express in granting somewhat, that was as much beyond all former precedents, as the King had merited more from them than all former kings had ever done.

But the Bishops of Winchester and Rochester opposed this; for they both hated the Cardinal. The one thought him ungrateful to him who had raised him; the other, being a man of a strict life, hated him for his vices. Both these spake against it as an unheard-of tax, which would so oppress the clergy, that it would not be possible for them to live and pay it; and that this would become a precedent for after-times, which would make the condition of the clergy most miserable. But the Cardinal, who intended that the convocation, by a great subsidy, should lead the way to the parliament, took much pains for carrying it through; and got some to be absent, and others were prevailed on to consent to it. and, for the fear of its being made a precedent, a clause was put in the act, That it should be no precedent for after-times. Others laughed at this, and said, it would be a precedent for all that, if once passed. But in the end it was granted, with a most glorious preamble; and by it all the natives of England that had any ecclesiastical benefice were to pay the full half of the true value of their livings in five years; and all foreigners who were beneficed in England, were to pay a whole year's rent in the same time; out of which number were excepted the Bishops of Worcester and Llandaff, Polydore Virgil, Peter the Carmelite, Erasmus of Rotterdam, Silvester Darius, and Peter Vannes, who were to pay only as natives did. This increased the hatred that the clergy bore the Cardinal. But he despised them, and in particular was a great enemy to the monks, and looked on them as idle mouths that did neither the church nor state any service, but were, through their scandalous lives, a reproach to the church, and a burden to the state. Therefore he re-

Collect. Numb. 5

solved to suppress a great number of them, and to change them to another institution.

From the days of King Edgar, the state of monkery had been still growing in England. For most of the secular clergy being then married, and refusing to put away their wives, were, by Dunstan archbishop of Canterbury, and Ethelwald bishop of Winchester, and Oswald bishop of Worcester, who were all monks, turned out of their livings. There is in the rolls an *inspeximus* of King Edgar's, erecting the priory and convent of Worcester, which bears date anno 964, Edgari 6to. on St. Innocent's day, signed by the King, the Queen, two archbishops, five bishops, six abbots (but neither bishopric nor abbey are named), six dukes, and five knights. It bears, that the King, with the counsel and consent of his princes and gentry, did confirm and establish that priory; and that he had erected forty-seven monasteries, which he intended to increase to fifty, the number of jubilee; and that the former incumbents should be for ever excluded from all pretensions to their benefices, because they had rather chosen, with the danger of their order, and the prejudice of the ecclesiastical benefice, to adhere to their wives, than to serve God chastely and canonically.

Of the state of the monasteries

Rot Pat 11 Hen. VIII Part 1.

The monks being thus settled in most cathedrals of England, gave themselves up to idleness and pleasure, which had been long complained of; but now that learning began to be restored, they, being every where possessed of the best church-benefices, were looked upon by all learned men with an evil eye, as having in their hands the chief encouragements of learning, and yet doing nothing towards it; they, on the contrary, decrying and disparaging it all they could, saying, It would bring in heresy, and a great deal of mischief. And the restorers of learning, such as Erasmus, Vives, and others, did not spare them, but did expose their ignorance and ill manners to the world.

Now the King naturally loved learning, and therefore the Cardinal, either to do a thing which he knew would be acceptable to the King, or that it was also

agreeable to his own inclinations, resolved to set up some colleges, in which there should be both great encouragements for eminent scholars to prosecute their studies, and good schools for teaching and training up of youth. This he knew would be a great honour to him, to be looked upon as a patron of learning; and, therefore, he set his heart much on it, to have two colleges (the one at Oxford, the other at Ipswich, the place of his birth) well constituted and nobly endowed. But towards this, it was necessary to suppress some monasteries, which was thought every whit as justifiable and lawful, as it had been many ages before to change secular prebends into canons regular; the endowed goods being still applied to a religious use. And it was thought hard to say, That if the Pope had the absolute power of dispensing the spiritual treasure of the church, and to translate the merits of one man and apply them to another; that he had not a much more absolute power over the temporal treasure of the church, to translate church-lands from one use, and apply them to another. And, indeed, the Cardinal was then so much considered at Rome, as a pope of another world, that whatever he desired he easily obtained. Therefore, on the 3d of April, 1524, Pope Clement, by a bull, gave him authority to suppress the monastery of St. Frideswide, in Oxford, and in the diocess of Lincoln, and to carry the monks elsewhere, with a very full *non obstante*. To this the King gave his assent the 19th of April following. After this there followed many other bulls for other religious houses and rectories that were impropriated. These houses being thus suppressed by the law, they belonged to the King; who thereupon made them over to the Cardinal by new and special grants, which are all enrolled. And so he went on with these great foundations, and brought them to perfection; that at Oxford in the eighteenth year, and that at Ipswich in the twentieth year of the King's reign, as appears by the dates of the King's patents for founding them.

The Cardinal's colleges.

The bull and royal assent, 15 Reg 2. Parl. Rot. Pat.

In the last place, I come to shew the new opinions

in religion, or those that were accounted new then in England; and the state and progress of them till the nineteenth year of the King's reign.

The first beginning of reformation in England.

From the days of Wickliffe, there were many that disliked most of the received doctrines, in several parts of the nation. The clergy were at that time very hateful to the people; for as the Pope did exact heavily on them, so they, being oppressed, took all means possible to make the people repay what the popes wrested from them. Wickliffe being much encouraged and supported by the Duke of Lancaster and the Lord Piercy, the bishops could not proceed against him till the Duke of Lancaster was put from the King, and then he was condemned at Oxford. Many opinions are charged upon him, but whether he held them or not, we know not, but by the testimonies of his enemies, who write of him with so much passion, that it discredits all they say; yet he died in peace, though his body was afterwards burnt. He translated the Bible out of Latin into English, with a long preface before it, in which he reflected severely on the corruptions of the clergy, and condemned the worshipping of saints and images, and denied the corporal presence of Christ's body in the sacrament, and exhorted all people to the study of the Scriptures. His Bible, with this preface, was well received by a great many, who were led into these opinions, rather by the impressions which common sense and plain reason made on them, than by any deep speculation or study. For the followers of this doctrine were illiterate and ignorant men: some few clerks joined to them, but they formed not themselves into any body or association; and were scattered over the kingdom, holding these opinions in private without making any public profession of them: generally they were known by their disparaging the superstitious clergy, whose corruptions were then so notorious, and their cruelty so enraged, that no wonder the people were deeply prejudiced against them. Nor were the methods they used likely to prevail much upon them, being severe and cruel.

The cruelties of the church of Rome.

In the primitive church, though in their councils they were not backward to pass anathematisms on every thing that they judged heresy, yet all capital proceedings against heretics were condemned; and when two bishops did prosecute Priscillian and his followers before the Emperor Maximus, upon which they were put to death, they were generally so blamed for it, that many refused to hold communion with them. The Roman emperors made many laws against heretics, for the fining and banishing of them, and secluded them from the privileges of other subjects; such as making wills, or receiving legacies; only the Manichees (who were a strange mixture between heathenism and Christianity) were to suffer death for their errors. Yet the bishops in those days, particularly in Afric, doubted much, whether, upon the insolencies of heretics or schismatics, they might desire the Emperor to execute those laws for fining, banishing, and other restraints. And St. Austin was not easily prevailed on to consent to it. But at length the Donatists were so intolerable, that after several consultations about it, they were forced to consent to those inferior penalties, but still condemned the taking away of their lives. And even in the execution of the imperial laws in those inferior punishments, they were always interposing, to moderate the severity of the prefects and governors. The first instance of severity on men's bodies, that was not censured by the church, was in the fifth century, under Justin the First, who ordered the tongue of Severus (who had been patriarch of Antioch, but did daily anathematize the council of Chalcedon) to be cut out. In the eighth century, Justinian the Second (called Rhinotmetus from his cropped nose) burnt all the Manichees in Armenia: and in the end of the eleventh century, the Bogomili were condemned to be burnt by the Patriarch and council of Constantinople. But in the end of the twelfth, and in the beginning of the thirteenth century, a company of simple and innocent persons in the southern parts of France, being disgusted with the corruptions, both of the popish clergy and of the

public worship, separated from their assemblies; and then Dominick and his brethren-preachers, who came among them to convince them, finding their preaching did not prevail, betook themselves to that way that was sure to silence them. They persuaded the civil magistrates to burn all such as were judged obstinate heretics. That they might do this by a law, the fourth council of Lateran did decree, that all heretics should be delivered to the secular power to be extirpated (they thought fit not to speak out, but by the practice it was known that burning was that which they meant); and if they did it not, they were to be excommunicated; and after that, if they still refused to do their duty (which was upon the matter to be the inquisitor's hangman), they were to deny it at their utmost perils. For not only the ecclesiastical censures, but anathemas were thought too feeble a punishment for this omission. Therefore a censure was found out, as severe upon the prince, as burning was to the poor heretic:—He was to be deposed by the Pope, his subjects to be absolved from their oaths of allegiance, and his dominions to be given away, to any other faithful son of the church, such as pleased the Pope best; and all this by the authority of a synod, that passed for a holy general council. This, as it was fatal to the Counts of Thoulouse, who were great princes in the south of France, and first fell under the censures; so it was terrible to all other princes, who thereupon, to save themselves, delivered up their subjects to the mercy of the ecclesiastical courts.

Burning was the death they made choice of, because witches, wizards, and sodomites had been so executed. Therefore, to make heresy appear a terrible thing, this was thought the most proper punishment of it. It had also a resemblance of everlasting burning, to which they adjudged their souls, as well as their bodies were condemned to the fire; but with this signal difference, that they could find no such effectual way to oblige God to execute their sentence, as they contrived against the civil magistrate. But,

Fitz-Herbert De Nat Brevium.

however, they confidently gave it out, that by virtue of that promise of our Saviour's, "Whose sins ye bind on earth, they are bound in heaven," their decrees were ratified in heaven. And it not being easy to disprove what they said, people believed the one, as they saw the other sentence executed. So that, whatever they condemned as heresy, was looked on as the worst thing in the world.

The laws of England against heretics.

There was no occasion for the execution of this law in England till the days of Wickliffe. And the favour he had from some great men stopped the proceedings against him. But in the fifth year of King Richard the Second, a bill passed in the House of Lords, and was assented to by the King, and published for an act of parliament, though the bill was never sent to the House of Commons. By this pretended law it appears, Wickliffe's followers were then very numerous; that they had a certain habit, and did preach in many places, both in churches, churchyards, and markets, without license from the ordinary; and did preach several doctrines, both against the faith and the laws of the land, as had been proved before the Archbishop of Canterbury, the other bishops, prelates, doctors of divinity, and of the civil and canon law, and others of the clergy: that they would not submit to the admonitions nor censures of the church; but by their subtle ingenious words did draw the people to follow them and defend them by strong hand, and in great routs. Therefore it was ordained, that, upon the Bishop's certifying into the chancery the names of such preachers and their abettors, the Chancellor should issue forth commissions to the sheriffs and other the King's ministers, to hold them in arrest and strong prison, till they should justify them according to the law and reason of holy church. From the gentleness of which law it may appear, that England was not then so tame as to bear the severity of those cruel laws which were settled and put in execution in other kingdoms.

Coke's Institutes, 3 part. chap. 6 of heresy

The custom at that time was to engross copies of all the acts of parliament, and to send them with a writ,

under the great seal, to the sheriffs, to make them be proclaimed within their jurisdictions. And Robert Braibrook, bishop of London, then lord chancellor, sent this with the other acts of that parliament, to be proclaimed. The writ bears date the 26th of May, 5to Reg. But in the next parliament, that was held in the sixth year of that King's reign, the Commons preferred a bill reciting the former act, and constantly affirmed that they had never assented to it, and therefore desired it might be declared to be void; for they protested it was never their intent to be justified, and to bind themselves and their successors to the prelates, more than their ancestors had done in times past. To which the King gave the royal assent, as it is in the records of parliament. But in the proclamation of the acts of that parliament this act was suppressed; so that the former act was still looked on as a good law, and is printed in the book of statutes. Such pious frauds were always practised by the popish clergy, and were indeed necessary for the supporting the credit of that church. When Richard the Second was deposed, and the crown usurped by Henry the Fourth, then he, in gratitude to the clergy that assisted him in his coming to the crown, granted them a law to their hearts' content in the second year of his reign. The preamble bears, "That some had a new faith about the sacraments of the church, and the authority of the same, and did preach without authority, gathered conventicles, taught schools, wrote books against the catholic faith; with many other heinous aggravations. Upon which the prelates and clergy, and the commons of the realm, prayed the King to provide a sufficient remedy to so great an evil. Therefore the King, by the assent of the states, and other discreet men of the realm, being in the said parliament, did ordain, That none should preach without license, except persons privileged; that none should preach any doctrine contrary to the catholic faith, or the determination of the holy church, and that none should favour and abet them, nor keep their books, but deliver them to the diocesan of the place within forty days after the proclamation

6to Rich. II 1 Part. No 52 Rot Parl

Another law under King Henry IV

of that statute. And that if any persons were defamed, or suspected of doing against that ordinance, then the ordinary might arrest them, and keep them in his prison, till they were canonically purged of the articles laid against them, or did abjure them according to the laws of the church. Provided always, that the proceedings against them were publicly and judicially done and ended, within three months after they had been so arrested; and if they were convict, the diocesan, or his commissaries, might keep them in prison as long as to his discretion shall seem expedient, and might fine them as should seem competent to him, certifying the fine into the King's exchequer; and if any being convict did refuse to abjure, or after abjuration did fall into a relapse, then he was to be left to the secular court, according to the holy canons. And the mayors, sheriffs, or bailiffs, were to be personally present at the passing the sentence, when they should be required by the diocesan, or his commissaries, and after the sentence they were to receive them, and then before the people in a high place to be brent." By this statute, the sheriffs, or other officers, were immediately to proceed to the burning of heretics without any writ or warrant from the King But it seems the King's learned council advised him to issue out a writ, *De hæretico comburendo*, upon what grounds of law I cannot tell. For in the same year when William Sautre (who was the first that was put to death upon the account of heresy) was judged relapse by Thomas Arundel, archbishop of Canterbury, in a convocation of his province, and thereupon was degraded from priesthood, and left to secular power; a writ was issued out to burn him, which in the writ is called "the customary punishment," (relating it is like to the customs that were beyond sea.) But this writ was not necessary by the law, and therefore it seems these writs were not enrolled. For in the whole reign of King Henry the Eighth, I have not been able to find any of these writs in the rolls. But by Warham's register I see the common course of the law was, to certify into the chancery the conviction of a heretic,

Fitz-Herbert's Natura Brevium.

upon which the writ was issued out, if the King did not send a pardon. Thus it went on all the reign of Henry the Fourth, but in the beginning of his son's reign, there was a conspiracy (as was pretended) by Sir John Oldcastle, and some others, against the King and the clergy; upon which many were put into prison, and twenty-nine were both attainted of treason, and condemned of heresy, so they were both hanged and burnt. But, as a writer that lived in the following age, says, "Certain affirmed that these were but feigned causes, surmised of the spirituality more of displeasure than truth." That conspiracy, whether real or pretended, produced a severe act against those heretics, who were then best known by the name of Lollards. By which act, all officers of state, judges, justices of the peace, mayors, sheriffs, and bailiffs, were to be sworn, when they took their employments, to use their whole power and diligence to destroy all heresies and errors, called Lollardies, and to assist the ordinaries and their commissaries in their proceedings against them; and that the Lollards should forfeit all the lands they held in fee simple, and their goods and chattels to the King. Hall

The clergy, according to the genius of that religion, having their authority fortified with such severe laws, were now more cruel and insolent than ever. And if any man denied them any part of that respect, or of those advantages, to which they pretended, he was presently brought under the suspicion of heresy, and vexed with imprisonments, and articles were brought against him.

Upon which great complaints followed. And the judges, to correct this, granted habeas corpus upon their imprisonments, and examined the warrants, and either bailed or discharged the prisoners as they saw cause: for though the decrees of the church had made many things heresy, so that the clergy had much matter to work upon; yet when offenders against them in other things could not be charged with any formal heresy, then by consequences they studied to fasten it on them, but were sometimes overruled by the judges.

Thus, when one Keyser (who was excommunicated by Thomas Bourchier, archbishop of Canterbury, at the suit of another) said openly, that "That sentence was not to be feared;" for though the Archbishop, or his commissary, had excommunicated him, "yet he was not excommunicated before God;" he was upon this committed by the Archbishop's warrant, as one justly suspected of heresy: but the judges, upon his moving for an habeas corpus, granted it; and the prisoner being brought to the bar, with the warrant for his imprisonment, they found the matter contained in it was not within the statute, and first bailed him, and after that they discharged him. One Warner of London, having said, "That he was not bound to pay tithes to his curate," was also imprisoned by Edward Vaughan, at the command of the Bishop of London, but he escaped out of prison, and brought his action of false imprisonment against Vaughan. Whereupon Vaughan pleading the statute of Henry the Fourth, and that his opinion was a heresy against the determination of the catholic faith; the court of the Common Pleas judged, That the words were not within the statute, and that his opinion was an error, but no heresy. So that the judges, looking on themselves as the interpreters of the law, thought, that even in the case of heresy, they had authority to declare, what was heresy by the law, and what not: but what opposition the clergy made to this, I do not know.

Fifth year of Edw. IV

I hope the reader will easily excuse this digression, it being so material to the history that is to follow. I shall next set down what I find in the records about the proceedings against heretics in the beginning of this reign.

On the 2d of May, in the year 1511, six men and four women, most of them being of Tenterden, appeared before Archbishop Warham, in his manor of Knoll, and abjured the following errors. First, that in the sacrament of the altar is not the body of Christ, but material bread. Secondly, that the sacraments of baptism and confirmation are not necessary nor profitable for men's souls. Thirdly, that confessions of

Warham's proceedings against heretics Regist Warham, fol 164

sins ought not to be made to a priest. Fourthly, that there is no more power given by God to a priest than to a layman. Fifthly, that the solemnization of matrimony is not profitable nor necessary for the well of man's soul. Sixthly, that the sacrament of extreme unction is not profitable nor necessary for man's soul. Seventhly, that pilgrimage to holy and devout places be not profitable, neither meritorious for man's soul. Eighthly, that images of saints be not to be worshipped. Ninthly, that a man should pray to no saint, but only to God. Tenthly, that holy water and holy bread be not the better after the benediction made by the priest, than before. And as they abjured these opinions, so they were made to swear, that they should discover all whom they knew to hold these errors, or who were suspected of them, or that did keep any private conventicles, or were fautors or comforters of them that published such doctrines. Two other men of Tenterden did that day in the afternoon abjure most of these opinions. The court sat again the 5th of May, and the Archbishop enjoined them penance, to wear the badge of a fagot in flames on their clothes during their lives, or till they were dispensed with for it; and that in procession, both at the cathedral of Canterbury, and at their own parish churches, they should carry a fagot on their shoulders, which was looked on as a public confession that they deserved burning.

That same day another of Tenterden abjured the same doctrines On the 15th of May the court sat at Lambeth, where four men and one woman abjured. On the 19th, four men more abjured. On the 3d of June, a man and a woman abjured. Another woman, the 26th of July; another man, the 29th of July; two women on the 2d of August; a man on the 3d, and a woman on the 8th of August; three men on the 16th of August; and three men and a woman on the 3d of September. In these abjurations some were put to abjure more, some fewer of the former doctrines; and in some of their abjurations two articles more were added: First, that the images of the crucifix, of our Lady and other saints, ought not to be worship-

ped, because they were made with men's hands, and were but stocks and stones. Secondly, that money and labour spent in pilgrimages was all in vain. All these persons (whether they were unjustly accused, or were overcome with fear, or had but crude conceptions of those opinions, and so were easily frighted out of them) abjured and performed the penance that was enjoined them. Others met with harder measure; for on the 29th of April, in the same year, 1511, one William Carder, of Tenterden, being indicted on the former articles, he denied them all but one, that he had said it was enough to pray to Almighty God alone, and therefore we needed not to pray to saints for any mediation. Upon which witnesses were brought against him, who were all such as were then prisoners, but intended to abjure, and were now made use of to convict others. They swore that he had taught them these opinions. When their depositions were published, he said he did repent if he had said any thing against the faith and the sacraments; but he did not remember that he had ever said any such thing. Sentence was given upon him as an obstinate heretic, and he was delivered up to the secular power. On the same day a woman, Agnes Grevill, was indicted upon the same articles: she pleaded Not guilty; but, by a strange kind of proceeding, her husband and her two sons were brought in witnesses against her. Her husband desposed, that, in the end of the reign of King Edward the Fourth, one John Ive had persuaded her into these opinions, in which she had persisted ever since: her sons also deposed, that she had been still infusing these doctrines into them. One Robert Harrison was also indicted, and pleaded Not guilty; witnesses did prove the articles against him. And on the 2d of May sentence was given against these two as obstinate heretics. And the same day the Archbishop signed the writs for certifying these sentences into the chancery, which conclude in these words: "Our holy mother the church, having nothing farther that she can do in this matter, we leave the fore-mentioned heretics, and every one of them, to

your Royal Highness, and to your secular council." And on the 8th of May, John Brown and Edward Walker, being also indicted of heresy on the former points, they both pleaded Not guilty. But the witnesses deposing against them, they were judged obstinate heretics, and the former a relapse, for he had abjured before Cardinal Morton. And on the 19th of May sentence was given. When or how the sentences were executed, I cannot find. Sure I am, there are no pardons upon record for any of them; and it was the course of the law, either to send a pardon, or to issue out the writ for burning them.

Fox mentions none of these proceedings; only he tells that John Brown was taken for some words said in discourse with a priest, about the saying of masses for redeeming souls out of purgatory. Upon which he was committed for suspicion of heresy: but Fox seems to have been misinformed about the time of his burning, which he says was anno 1517; for they would not have kept a condemned heretic six years out of the fire. I never find them guilty of any such clemency. These severe sentences made the rest so apprehensive of their danger, that all the others who were indicted abjured. And in the year 1512, on the 5th of June, two men and two women abjured that article, That in the sacrament of the altar there was only material bread, and not the body of Christ. And on the 4th and 13th of September, two other women abjured the former articles: and this is all that is in Warham's register about heretics.

Fitz-James bishop of London, his proceedings against heretics, fol 4

In what remains of Fitz-James, bishop of London's register, there are but three abjurations. In the year 1509, one Elizabeth Sampson, of Aldermanbury, was indicted for having spoke reproachfully of the images of our Lady of Wilsden, Crom, and Walsingham, condemning pilgrimages to them, and saying, It was better to give alms at home to poor people, than to go on pilgrimages; and that images were but stocks and stones; and denying the virtue of the sacrament of the altar, when the priest was not in clean life, and saying, It was but bread, and that Christ could not

be both in heaven and in earth; and for denying Christ's ascension to heaven, and saying, That more should not go to heaven than were already in it. But she, to be free of further trouble, confessed herself guilty, and abjured all those opinions. It is generally observed, that in the proceedings against Lollards, the clergy always mixed some capital errors, which all Christians rejected, with those for which they accused them; and some particulars being proved, they gave it out that they were guilty of them all, to represent them the more odious. And in this case the thing is plain: for this woman is charged for denying Christ's ascension; and yet another of the articles was, That she said Christ's body could not be in the sacrament, because it could not be both in heaven and on earth. Which two opinions are inconsistent. In the year 1511, William Potier was indicted for saying, There were three Gods, and that he knew not for what Christ's passion, or baptism, availed; and did abjure. Whether he had only spoke these things impiously, or whether he held them in opinion, is not clear. But certainly he was no Lollard. One Joan Baker was also made to abjure some words she had said, That images were but idols, and not to be worshipped; and that they were set up by the priests out of covetousness, that they might grow rich by them; and that pilgrimages were not to be made. More is not in that register: but Fox gives an account of six others, who were burnt in Fitz-James's time. On this I have been the longer, that it may appear what were the opinions of the Lollards at that time, before Luther had published any thing against the indulgences. For these opinions did very much dispose people to receive the writings which came afterwards out of Germany.

The progress of Luther's doctrine

The first beginnings and progress of Luther's doctrines are so well known, that I need not tell how, upon the publishing of indulgences in Germany, in so gross a manner, that for a little money any man might both preserve himself, and deliver his friends out of purgatory, many were offended at this mer-

chandise, against which Luther wrote. But it concerning the see of Rome in so main a point of their prerogative, which would also have cut off a great branch of their revenue, he was proceeded against with extreme severity. so small a spark as that collision made could never have raised so great a fire, if the world had not been strongly disposed to it, by the just prejudices they had conceived against the popish clergy, whose ignorance and lewd lives had laid them so open to contempt and hatred, that any one that would set himself against them, could not but be kindly looked on by the people. They had engrossed the greatest part both of the riches and power of Christendom, and lived at their ease, and in much wealth. And the corruptions of their worship and doctrine were such, that a very small proportion of common sense, with but an overly looking on the New Testament, discovered them. Nor had they any other varnish to colour them by, but the authority and traditions of the church. But when some studious men began to read the ancient fathers and councils (though there was then a great mixture of sophisticated stuff that went under the ancient names, and was joined to their true works, which critics have since discovered to be spurious), they found a vast difference between the first five ages of the Christian church, in which piety and learning prevailed, and the last ten ages, in which ignorance had buried all their former learning, only a little misguided devotion was retained for six of these ages; and in the last four, the restless ambition and usurpation of the popes was supported by the seeming holiness of the begging friars, and the false counterfeits of learning, which were among the canonists, schoolmen, and casuists. So that it was incredible to see, how men, notwithstanding all the opposition the princes every where made to the progress of these reputed new opinions, and the great advantages by which the church of Rome both held and drew many into their interests, were generally inclined to these doctrines. Those of the clergy who at first preached them, were

of the begging orders of friars, who having fewer engagements on them from their interests, were freer to discover and follow the truth. And the austere discipline they had been trained under, did prepare them to encounter those difficulties that lay in their way. And the laity, that had long looked on their pastors with an evil eye, did receive these opinions very easily; which did both discover the impostures with which the world had been abused, and shewed a plain and simple way to the kingdom of heaven, by putting the Scriptures into their hands, and such other instructions about religion, as were sincere and genuine. The clergy, who at first despised these new preachers, were at length much alarmed when they saw all people running after them, and receiving their doctrines.

As these things did spread much in Germany, Switzerland, and the Netherlands, so their books came over into England, where there was much matter already prepared to be wrought on, not only by the prejudices they had conceived against the corrupt clergy, but by the opinions of the Lollards, which had been now in England since the days of Wickliffe, for about one hundred and fifty years. Between which opinions, and the doctrines of the Reformers, there was great affinity; and therefore, to give the better vent to the books that came out of Germany, many of them were translated into the English tongue, and were very much read and applauded. This quickened the proceedings against the Lollards, and the inquiry became so severe, that great numbers were brought into the toils of the bishops and their commissaries. If a man had spoken but a light word against any of the constitutions of the church, he was seized on by the bishop's officers; and if any taught their children the Lord's Prayer, the Ten Commandments, and the Apostles' Creed, in the vulgar tongue, that was crime enough to bring them to the stake: as it did six men and a woman at Coventry, in the
Fox Passion week, 1519, being the 4th of April. Longland, bishop of Lincoln, was very cruel to all that

were suspected of heresy in his diocess. several of them abjured, and some were burnt.

But all that did not produce what they designed by it. The clergy did not correct their own faults; and their cruelty was looked on as an evidence of guilt, and of a weak cause; so that the method they took wrought only on people's fears, and made them more cautious and reserved, but did not at all remove the cause, nor work either on their reasons or affections.

Upon all this, the King, to get himself a name, and to have a lasting interest with the clergy, thought it not enough to assist them with his authority, but would needs turn their champion, and write against Luther* in defence of the seven sacraments. This book was magnified by the clergy as the most learned work that ever the sun saw; and he was compared to King Solomon, and to all the Christian emperors that had ever been: and it was the chief subject of flattery for many years, besides the glorious title of Defender of the Faith, which the Pope bestowed on him for it. And it must be acknowledged, that, considering the age, and that it was the work of a king, it did deserve some commendation. But Luther was not at all daunted at it, but rather valued himself upon it, that so great a King had entered the lists with him, and answered his book. And he replied, not without a large mixture of acrimony, for which he was generally blamed, as forgetting that great respect that is due to the persons of sovereign princes.

The King writes against Luther, 1521

But all would not do. These opinions still gained more footing, and William Tindal made a translation of the New Testament in English, to which he added some short glosses. This was printed in Antwerp, and sent over into England in the year 1526. Against which there was a prohibition published by every

Oct 23 Reg Tonstall, fol 45 with which that in Fox agrees exactly

* No doubt this book was wrote by the King, as other books were under his name, that is, by his bishops, or other learned men. Sir Thomas More (who must have known the authors) gives this account of it —"That after it was finished by his Grace's appointment, and consent of the makers of the same, I was only a sorter out, and placer of the principal matters therein contained." So it seems others were makers, and Sir Thomas More only a sorter. By the style, it was guessed by some to be wrote by Erasmus.—[Compare below, book III. anno 1535 —N]

bishop in his diocess, bearing that some of Luther's followers had erroneously translated the New Testament, and had corrupted the word of God, both by a false translation, and by heretical glosses: therefore they required all incumbents to charge all within their parishes, that had any of these, to bring them into the Vicar-General within thirty days after that premonition, under the pains of excommunication and incurring the suspicion of heresy. There were also many other books prohibited at that time, most of them written by Tindal. And Sir Thomas More, who was a man celebrated for virtue and learning, undertook the answering of some of those; but before he went about it, he would needs have the bishop's license for keeping and reading them. He wrote according to the way of the age, with much bitterness: and though he had been no friend to the monks, and a great declaimer against the ignorance of the clergy, and had been ill used by the Cardinal; yet he was one of the bitterest enemies of the new preachers; not without great cruelty when he came into power, though he was otherwise a very good-natured man. So violently did the Roman clergy hurry all their friends into those excesses of fire and sword.

Collect. Numb 6

When the party became so considerable, that it was known there were societies of them, not only in London, but in both the universities, then the Cardinal was constrained to act. His contempt of the clergy was looked on as that which gave encouragement to the heretics. When reports were brought to court of a company that were in Cambridge, Bilney, Latimer, and others, that read and propagated Luther's book and opinions; some bishops moved, in the year 1523, that there might be a visitation appointed to go to Cambridge, for trying who were the fautors of heresy there. But he, as legate, did inhibit it (upon what grounds I cannot imagine), which was brought against him afterwards in parliament (Art. 43. of his impeachment). Yet when these doctrines were spread every where, he called a meeting of all the bishops, and divines, and canonists about London; where

Thomas Bilney and Thomas Arthur were brought before them, and articles were brought in against them. The whole process is set down at length by Fox, in all points according to Tonstall's Register, except one fault in the translation. When the Cardinal asked Bilney whether he had not taken an oath before, not to preach, or defend any of Luther's doctrines; he confessed he had done it, but not judicially, (*judicialiter* in the Register.) This Fox translates not lawfully. In all the other particulars there is an exact agreement between the Register and his Acts. The sum of the proceedings of the court was, that after examination of witnesses, and several other steps in the process, which the Cardinal left to the Bishop of London, and the other bishops, to manage, Bilney stood out long, and seemed resolved to suffer for a good conscience. In the end, what through human infirmity, what through the great importunity of the Bishop of London, who set all his friends on him, he did abjure on the 7th of December, as Arthur had done on the 2d of that month. And though Bilney was relapsed, and so was to expect no mercy by the law, yet the Bishop of London enjoined him penance, and let him go. For Tonstall being a man both of good learning and an unblemished life, these virtues produced one of their ordinary effects in him, great moderation, that was so eminent in him, that at no time did he dip his hands in blood. Geoffry, Loni, and Thomas Gerrard, also abjured for having had Luther's books, and defending his opinions.

These were the proceedings against heretics in the first half of this reign. And thus far I have opened the state of affairs, both as to religious and civil concerns, for the first eighteen years of this King's time, with what observations I could gather of the dispositions and tempers of the nation at that time, which prepared them for the changes that followed afterwards.

PART I.---BOOK II.

OF THE PROCESS OF DIVORCE BETWEEN KING HENRY AND QUEEN KATHARINE, AND OF WHAT PASSED FROM THE NINETEENTH TO THE TWENTY-FIFTH YEAR OF HIS REIGN IN WHICH HE WAS DECLARED SUPREME HEAD OF THE CHURCH OF ENGLAND.

The beginning of the suit of divorce

KING HENRY hitherto lived at ease, and enjoyed his pleasures; he made war with much honour, and that always produced a just and advantageous peace. He had no trouble upon him in all his affairs, except about the getting of money, and even in that the Cardinal eased him. But now a domestic trouble arose, which perplexed all the rest of his government, and drew after it consequences of a high nature.

The marriage of Prince Arthur to the Infanta of Spain

Henry the Seventh, upon wise and good considerations, resolved to link himself in a close confederacy with Ferdinand and Isabella, kings of Castile and Arragon, and with the House of Burgundy, against France, which was looked on as the lasting and dangerous enemy of England. And therefore a match was agreed on between his son, Prince Arthur, and Katharine, the infanta of Spain, whose eldest sister Joan was married to Philip, that was then duke of Burgundy and earl of Flanders; out of which arose a triple alliance between England, Spain, and Burgundy, against the King of France, who was then become formidable to all about him. There was given with her 200,000 ducats, the greatest portion that had been given for many ages with any princess, which made it not the less acceptable to King Henry the Seventh.

The Infanta was brought into England, and on the 14th of November was married at St. Paul's to the Prince of Wales. They lived together as man and wife till the 2d of April following; and not only had their bed solemnly blessed when they were put in it, on the night of their marriage, but also were seen publicly in bed for several days after, and went down to

live at Ludlow Castle in Wales, where they still bedded together. But Prince Arthur, though a strong and healthful youth when he married her, yet died soon after, which some thought was hastened by his too early marriage. The Spanish ambassador had by his master's orders taken proofs of the consummation of the marriage, and sent them into Spain; the young Prince also himself had by many expressions given his servants cause to believe, that his marriage was consummated the first night, which in a youth of sixteen years of age, that was vigorous and healthful, was not at all judged strange. It was so constantly believed, that when he died, his younger brother, Henry duke of York, was not called Prince of Wales for some considerable time: some say for one month, some for six months. And he was not created Prince of Wales till ten months were elapsed, viz. in the February following, when it was apparent that his brother's wife was not with child by him. These things were afterwards looked on as a full demonstration (being as much as the thing was capable of) that the Princess was not a virgin after Prince Arthur's death.

1502. See the depositions of witnesses in I Herbert Prince Arthur's death, Apr 2, 1502.

Bacon's Henry VII.

But the reason of state still standing for keeping up the alliance against France, and King Henry the Seventh having no mind to let so great a revenue as she had in jointure be carried out of the kingdom, it was proposed, that she should be married to the younger brother Henry, now Prince of Wales. The two prelates that were then in greatest esteem with King Henry the Seventh, were Warham, archbishop of Canterbury, and Fox, bishop of Winchester. The former delivered his opinion against it, and told the King, that he thought it was neither honourable nor well-pleasing to God. The Bishop of Winchester persuaded it, and for the objections that were against it, and the murmuring of the people, who did not like a marriage that was disputable, lest out of it new wars should afterwards arise about the right of the crown, the Pope's dispensation was thought sufficient to answer all; and his authority was then so undisputed that it did it effectually. So a bull was ob-

Consultations about a second marriage of the infanta to his brother

Warham's deposition in L. Herbert.

It is allowed by the Pope Collections, Numb 1

tained on the 26th of December, 1503, to this effect, "That the Pope, according to the greatness of his authority, having received a petition from Prince Henry and the Princess Katharine, bearing, that whereas the Princess was lawfully married to Prince Arthur (which was perhaps consummated by the *carnalis copula*) who was dead without any issue, but they, being desirous to marry for preserving the peace between the crowns of England and Spain, did petition his Holiness for his dispensation; therefore the Pope, out of his care to maintain peace among all catholic kings, did absolve them from all censures under which they might be, and dispensed with the impediment of their affinity, notwithstanding any apostolical constitutions or ordinances to the contrary, and gave them leave to marry; or, if they were already married, he, confirming it, required their confessor to enjoin then some healthful penance for their having married before the dispensation was obtained."

Upon political reasons L. Herbert

It was not much to be wondered at that the Pope did readily grant this, for though very many both cardinals and divines did then oppose it, yet the interest of the papacy, which was preferred to all other considerations, required it. For as that Pope, being a great enemy to Lewis the Twelfth, the French King, would have done any thing to make an alliance against him firmer; so he was a warlike Pope, who considered religion very little, and therefore might be easily persuaded to confirm a thing that must needs oblige the succeeding kings of England to maintain the papal authority, since from it they derived their title to the crown; little thinking, that by a secret direction of an overruling Providence, that deed of his would occasion the extirpation of the papal power in England. So strangely doth God make the devices of men become of no effect, and turn them to a contrary end to that which is intended.

Upon this bull they were married, the Prince of Wales being yet under age. But Warham had so possessed the King with an aversion to this marriage, that on the same day that the Prince was of age, he,

CATHERINE OF ARRAGON

by his father's command, laid on him in the presence of many of the nobility and others, made a protestation in the hands of Fox, bishop of Winchester, before a public notary, and read it himself, by which he declared, "That whereas he being under age was married to the Princess Katharine; yet now, coming to be of age, he did not confirm that marriage, but retracted and annulled it, and would not proceed in it, but intended in full form of law to avoid it and break it off; which he declared he did freely and of his accord."

1505 Henry protests against it, June 27, 1505. Collect. Numb 2. Morison.

Thus it stood during his father's life, who continued to the last to be against it; and when he was just dying, he charged his son to break it off, though it is possible that no consideration of religion might work so much on him, as the apprehension he had of the troubles that might follow on a controverted title to the crown; of which the wars between the houses of York and Lancaster had given a fresh and sad demonstration. The King being dead, one of the first things that came under consultation was, that the young King must either break his marriage totally, or conclude it. Arguments were brought on both hands, but those for it prevailed most with the King so, six weeks after he came to the crown, he was married again publicly, and soon after they were both crowned. On the first day of the year she made him a very acceptable new-year's gift of a son, but he died in the February thereafter. she miscarried often, and another son died soon after he was born; only the lady Mary lived to a perfect age.

His father also dissuaded it.

April 22, 1509 King Henry VII dies.

Henry, being come to the crown, marries her, June 3. They are crowned, June 24. Son born, Jan 1, 1511, dies Feb 22, another born, and dies, Nov

In this state was the King's family when the Queen left bearing more children, and contracted some diseases that made her person unacceptable to him; but was, as to her other qualities, a virtuous and grave Princess, much esteemed and beloved both of the King and the whole nation. The king being out of hopes of more children declared his daughter Princess of Wales, and sent her to Ludlow to hold her court there, and projected divers matches for her. The first was with the Dauphin, which was agreed

1514 Lady Mary born, Feb. 19, 1516.

1518 Treaty Rolls. 10 Reg. His daughter Mary contracted

to the Dauphin, Oct 11

to between the King of France and him the 9th of November, 1518, as appears by the treaty yet extant. But this was broken afterwards upon the King's confederating with the Emperor against France, and a new match agreed and sworn to between the Emperor and the King at Windsor, the 22d of June, 1522, the Emperor being present in person. This being afterwards neglected and broken by the Emperor, by the advice of his cortes and states, as was formerly related, there followed some overtures of a marriage with Scotland. But those also vanished, and there was a second treaty begun with France, the King offering his daughter to Francis himself, which he gladly accepting, a match was treated: and on the last of April it was agreed that the Lady Mary should be given in marriage either to Francis himself, or to his second son the Duke of Orleans; and that alternative was to be determined by the two Kings, at an interview that was to be between them soon after at Calais, with forfeitures on both sides if the match went not on.

Afterwards to the Emperor, June 22, 1522

Offered to Scotland, Sept 1524

Again to France, April 30, 1527

For King Francis himself, or for his son the Duke of Orleans

The King's marriage questioned by foreigners

But while this was in agitation, the Bishop of Tarbe, the French ambassador, made a great demur about the Princess Mary being illegitimate, as begotten in a marriage that was contracted against a divine precept, with which no human authority could dispense. How far this was secretly concerted between the French court and ours, or between the Cardinal and the Ambassador, is not known. It is surmised, that the King or the Cardinal set on the French to make this exception publicly, that so the King might have a better colour to justify his suit of divorce, since other princes were already questioning it. For if, upon a marriage proposed of such infinite advantage to France, as that would be with the heir of the crown of England, they nevertheless made exceptions, and proceeded but coldly in it; it was very reasonable to expect that, after the King's death, other pretenders would have disputed her title in another manner.

To some it seemed strange that the King did offer his daughter to such great princes as the Emperor

and the King of France, to whom if England had fallen in her right, it must have been a province: for though in the last treaty with France, she was offered either to the King, or his second son; by which either the children which the King might have by her, or the children of the Duke of Orleans, should have been heirs to the crown of England, and thereby it would still have continued divided from France: yet this was full of hazard: for if the Duke of Orleans, by his brother's death should become King of France, as it afterwards fell out, or if the King of France had been once possessed of England, then, according to the maxim of the French government, that whatever their King acquires he holds it in the right of his crown, England was still to be a province to France, unless they freed themselves by arms. Others judged that the King intended to marry her to France, the more effectually to seclude her from the succession, considering the aversions his subjects had to a French government, that so he might more easily settle his bastard son the Duke of Richmond in the succession of the crown.

The King himself scruples it.

While this treaty went on, the King's scruples about his marriage began to take vent. It is said that the Cardinal did first infuse them into him, and made Longland, bishop of Lincoln, that was the King's confessor, possess the King's mind with them in confession.* If it was so, the King had, according to the religion of that time, very just cause of scruple, when his Confessor judged his marriage sinful, and the Pope's legate was of the same mind. It is also said that the Cardinal, being alienated from the Emperor, that he might irreparably embroil the King and him, and unite the King to the French interests, designed this out of spite; and that he was also dissatisfied toward the Queen, who hated him for his lewd and

Sanderus De Schism. Angl

* In a *MS.* life of Sir Thomas More, wrote not many years after Longland's death, this account is given —"I have heard Dr Draycot, that was his (Longland's) chaplain and chancellor, say, that he once told the Bishop what rumour ran, and desired of him to know the truth. Who answered, that in very deed he did not break the matter after that sort, as is said, but the King brake the matter to him first, and never left urging him, until he had won him to give his consent. Of which his doings he did forethink himself, and repented afterwards," &c. *MS Coll. Eman. Cant.*

dissolute life, and had oft admonished and checked him for it: and that he therefore, designing to engage
1525 the King to marry the French King's sister, the Duchess of Alenson, did (to make way for that) set this matter on foot: but as I see no good authority for all this, except the Queen's suspicions, who did afterwards charge the Cardinal as the cause of all her trouble; so I am inclined to think the King's scruples were much ancienter, for the King declared to Simon Grineus four years after this, that for seven years he had abstained from the Queen upon these scruples; so that by that it seems they had been received into the King's mind three years before this time

In his letter to Bucer Sept 10, 1531, in MSS R Smith

The grounds of his scruples

What were the King's secret motives and the true grounds of his aversion to the Queen, is only known to God: and till the discovery of all secrets at the day of judgment, must lie hid. But the reasons which he always owned, of which all human judicatories must only take notice, shall be now fully opened. He found by the law of Moses, If a man took his brother's wife, they should die childless. This made him reflect on the death of his children, which he now looked on as a curse from God for that unlawful marriage. Upon this he set himself to study the case, and called for the judgments of the best divines and canonists. For his own inquiry, Thomas Aquinas being the writer in whose works he took most pleasure, and to whose judgment he submitted most, did decide it clearly against him. For he both concluded, that the laws in Leviticus about the forbidden degrees of marriage were moral and eternal, such as obliged all Christians; and that the Pope could only dispense with the laws of the church, but could not dispense with the laws of God; upon this reason, that no law can be dispensed with, by any authority, but that which is equal to the authority that enacted it. Therefore he infers, that the Pope can indeed dispense with all the laws of the church, but not with the laws of God, to whose authority he could not pretend to be equal. But as the King found this from his own private study, so having commanded the Archbishop of Canterbury to require

the opinions of the bishops of England, they all in a writing, under their hands and seals, declared they judged it an unlawful marriage. Only the Bishop of Rochester refused to set his hand to it, and though the Archbishop pressed him most earnestly to it, yet he persisted in his refusal, saying, that it was against his conscience. Upon which the Archbishop made another write down his name, and set his seal to the resolution of the rest of the bishops. But this being afterwards questioned, the Bishop of Rochester denied it was his hand, and the Archbishop pretended that he had leave given him by the Bishop to put his hand to it, which the other denied. Nor was it likely that Fisher, who scrupled in conscience to subscribe it himself, would have consented to such a weak artifice. But all the other bishops did declare against the marriage, and as the King himself said afterwards, in the legantine court, neither the Cardinal nor the Bishop of Lincoln did first suggest these scruples; but the King being possessed with them, did in confession propose them to that Bishop, and added, that the Cardinal was so far from cherishing them, that he did all he could to stifle them.

1527 All his bishops, except Fisher, declare it unlawful.

Cavendish's Life of Wolsey.

The King was now convinced that his marriage was unlawful, both by his own study and the resolution of his divines. And as the point of conscience wrought on him, so the interest of the kingdom required that there should be no doubting about the succession to the crown: lest, as the long civil war between the houses of York and Lancaster had been buried with his father, so a new one should rise up at his death. The King of Scotland was the next heir to the crown after his daughter. And if he married his daughter to any out of France, then he had reason to judge, that the French, upon their ancient alliance with Scotland, and that they might divide and distract England, would be ready to assist the King of Scotland in his pretensions, or if he married her in France, then all those in England to whom the French government was hateful, and the Emperor and other princes, to whom the French power grew formidable, would have

The dangers that were like to follow from it

been as ready to support the pretensions of Scotland. Or if he should either set up his bastard son, or the children which his sister bore to Charles Brandon, there was still cause to fear a bloody decision of a title that was so doubtful. And though this may seem a consideration too politic and foreign to a matter of that nature; yet the obligation that lies on a prince to provide for the happiness and quiet of his subjects, was so weighty a thing, that it might well come in, among other motives, to incline the King much to have this matter determined. At this time the Cardinal went over into France, under colour to conclude a league between the two crowns, and to treat about the means of setting the Pope at liberty, who was then the Emperor's prisoner at Rome; and also for a project of peace between Francis and the Emperor. But his chief business was to require Francis to declare his resolutions concerning that alternative about the Lady Mary. To which it was answered, That the Duke of Orleans, as a fitter match in years, was the French King's choice; but this matter fell to the ground upon the process that followed soon after.

Wolsey went into France, July 11, 1527.

The King did much apprehend the opposition the Emperor was like to make to his designs; either out of a principle of nature and honour to protect his aunt, or out of a maxim of state, to raise his enemy all the trouble he could at home. But on the other hand he had some cause to hope well even in that particular. For the question of the unlawfulness of the match had been first debated in the cortes, or assembly of the states at Madrid; and the Emperor had then shewn himself so favourable to it, that he broke the match (to which he had bound himself) with the Princess. Therefore, the King had reason to think that this at least would mitigate his opposition. The Emperor had also used the Pope so hardly, that it could not be doubted that the Pope hated him. And it was believed that he would find the protection of the King of England most necessary to secure him, either from the greatness of France or Spain, who were fighting for the best part of Italy, which must needs fall into

The King's fears and hopes about it

one of their hands. Therefore the King did not doubt but the Pope would be compliant to his desires. And in this he was much confirmed by the hopes, or rather assurance, which the Cardinal gave him of the Pope's favour; who, either calculating what was to be expected from that court, on the account of their own interest, or upon some promises made him, had undertaken to the King to bring that matter about to his heart's content. It is certain that the Cardinal had carried over with him, out of the King's treasure, 240,000*l.* to be employed about the Pope's liberty. But whether he had made a bargain for the divorce, or had fancied that nothing could be denied him at Rome, it does not appear. It is clear, by many of his letters, that he had undertaken to the King, that the business should be done, and it is not like that a man of his wisdom would have ventured to do that without some good warrant. 1527 L. Herbert.

But now that the suit was to be moved in the court of Rome, they were to devise such arguments as were like to be heard there. It would have been unacceptable to have insisted on the nullity of the bull, on this account, because the matter of it was unlawful, and fell not within the pope's power. For popes, like other princes, do not love to hear the extent of their prerogative disputed or defined. And to condemn the bull of a former pope as unlawful, was a dangerous precedent, at a time when the pope's authority was rejected by so many in Germany. Therefore the canonists, as well as divines, were consulted to find such nullities in the bull of dispensation, as, according to the canon law, and the proceedings of the Rota, might serve to invalidate it without any diminution of the papal power. Which being once done, the marriage that followed upon it must needs be annulled. When the canonists examined the bull, they found much matter to proceed upon. It is a maxim in law, that if the pope be surprised in any thing, and bulls be procured upon false suggestions and untrue premises, they may be annulled afterwards. Upon which foundation most of all the processes against popes' bulls were grounded. The arguments against the bull

1527. Now they found by the preamble of this bill that it was said, The King had desired that he might be dispensed with to marry the Princess. This was false; for the King had made no such desire, being of an age that was below such considerations, but twelve years old. Then it appeared by the preamble, that this bull was desired by the King, to preserve the peace between the King of England, and Ferdinand and Isabella (called Elizabetha in the bull), the kings of Spain. To which they excepted, that it was plain this was false, since the King, being then but twelve years old, could not be supposed to have such deep speculations, and so large a prospect, as to desire a match upon a politic account. Then it being also in the bull, that the Pope's dispensation was granted to keep peace between the crowns; if there was no hazard of any breach or war between them, this was a false suggestion, by which the Pope had been made to believe, that this match was necessary for averting some great mischief; and it was known that there was no danger at all of that: and so this bull was obtained by a surprise. Besides, both King Henry of England, and Isabella of Spain, were dead before the King married his Queen, so the marriage could not be valid by virtue of a bull that was granted to maintain amity between princes that were dead before the marriage was consummated. and they also judged, that the protestation which the King made, when he came of age, did retract any such pretended desire, that might have been preferred to the Pope in his name; and that from that time forward, the bull could have no further operation, since the ground upon which it was granted, which was the King's desire, did then cease; any pretended desire before he was of age being clearly annulled and determined by that protestation after he was of age; so that a subsequent marriage, founded upon the bull, must needs be void.

These were the grounds upon which the canonists advised the process at Rome to be carried on. But first, to amuse and overreach the Spaniard, the King sent word to his Ambassador in Spain, to silence the

noise that was made about it in that court. Whether the King had then resolved on the person that should succeed the Queen, when he had obtained what he desired, or not, is much questioned. Some suggest, that from the beginning he was taken with the charms of Anne Boleyn, and that all this process was moved by the unseen spring of that secret affection. Others will have this amour to have been later in the King's thoughts. How early it came there, at this distance, is not easy to determine. But before I say more of it, she being so considerable a person in the following relation, I shall give some account of her. Sanders has assured the world, "That the King had a liking to her mother, who was daughter to the Duke of Norfolk; and to the end that he might enjoy her with the less disturbance, he sent her husband, Sir Thomas Boleyn, to be ambassador in France; and that, after two years' absence, his wife being with child, he came over, and sued a divorce against her in the Archbishop of Canterbury's court; but the King sent the Marquis of Dorset to let him know, that she was with child by him, and that, therefore, the King desired he would pass the matter over and be reconciled to his wife . to which he consented. And so Anne Boleyn, though she went under the name of his daughter, yet was of the King's begetting." As he describes her, "she was ill shaped and ugly, had six fingers, a gag tooth, and a tumour under her chin, with many other unseemly things in her person. At the fifteenth year of her age (says he), both her father's butler and chaplain lay with her: afterwards she was sent to France, where she was first kept privately in the house of a person of quality; then she went to the French court, where she led such a dissolute life, that she was called the English Hackney. That the French King liked her, and from the freedoms he took with her, she was called the King's Mule. But returning to England, she was admitted to the court, where she quickly perceived how weary the King was of the Queen, and what the Cardinal was designing; and having gained the King's affection, she governed it so, that by all innocent free-

Sanders's story about Anne Boleyn, examined. For this he cites Rastal's life of Sir Thomas More, a book that was never seen by any body else.

doms she drew him into her toils, and by the appearances of a severe virtue, with which she disguised herself, so increased his affection and esteem, that he resolved to put her in his Queen's place, as soon as the divorce was granted." The same author adds, "That the King had likewise enjoyed her sister," with a great deal more to the disgrace of this lady and her family.

I know it is not the work of an historian to refute the lies of others, but rather to deliver such a plain account as will be a more effectual confutation than any thing can be that is said by way of argument, which belongs to other writers. And at the end of this King's reign, I intend to set down a collection of the most notorious falsehoods of that writer, together with the evidences of their being so. But all this of Anne Boleyn is so palpable a lie, or rather a complicated heap of lies, and so much depends on it, that I presume it will not offend the reader to be detained a few minutes in the refutation of it. For if it were true, very much might be drawn from it, both to disparage King Henry, who pretended conscience to annul his marriage, for the nearness of affinity, and yet would after that marry his own daughter. It leaves also a foul and lasting stain both on the memory of Anne Boleyn, and of her incomparable daughter Queen Elizabeth. It also derogates so much from the character of the first Reformers, who had some kind of dependance on Queen Anne Boleyn, that it seems to be of great importance for directing the reader in the judgment he is to make of persons and things, to lay open the falsehood of this account. It were sufficient for blasting it, that there is no proof pretended to be brought for any part of it, but a book of one Rastal, a judge. The title of the book is, The Life of Sir Thomas More. There is great reason to think, that Rastal never writ any such book; for it is most common for the lives of great authors to be prefixed to their works. Now this Rastal published all More's works in Queen Mary's reign, to which, if he had written his life, it is likely he would have prefixed it. No evidence, therefore,

being given for his relation, either from records, letters, or the testimony of any person who was privy to the matter, the whole is to be looked upon as a black forgery, devised on purpose to defame Queen Elizabeth. For, upon her mother's death who can doubt but that some, either to flatter the King, or to defame her, would have published these things, which if they had been true could be no secrets? For a lady of her mother's condition to bear a child two years after her husband was sent out of England on such a public employment, and a process thereupon to be entered in the Archbishop's courts, are things that are not so soon to be forgotten. And that she herself was under so ill a reputation, both in her father's family, and in France, for common lewdness, and for being the King's concubine, are things that could not lie hid. And yet when the books of the Archbishop's courts (which are now burnt) were extant, it was published to the world, and satisfaction offered to every one that would take the pains to inform themselves, that there was no such thing on record. Nor did any of the writers of that time, either of the imperial or papal side, once mention these things, notwithstanding their great occasion to do it. But eighty years after, this fable was invented, or at least it was then first published, when it was safer to lie, because none who had lived in the time could disprove it. Anti Sanderus.

But it has not only no foundation, but Sanders, through the vulgar errors of liars, has strained his wit to make so ill a story of the lady, that some things in his own relation make it plainly appear to be impossible. For, to pass by those many improbable things that he relates, as namely, That both the King of England and the French King, could be so taken with so ugly and monstrous a woman, of so notorious and lewd manners; and that this King, for the space of seven years, that is, during the suit of the divorce, should continue enamoured of her, and never discover this, or having discovered it should yet resolve, at all hazards, to make her his wife; which are things that would require no common testimony to make them seem credible: there

is beside, in that story, a heap of things so inconsistent with one another, that none but such a one as Sanders could have had either blindness or brow enough to have made or published it. For first, if the King, that he might the more freely enjoy Sir Thomas Boleyn's lady, sent him over into France, as Sanders says, I shall allow it as soon as may be, that it was in the very beginning of his reign, 1509. Then the time when Anne Boleyn was born, being, according to Sanders's account, two years after, that must be anno 1511, and being, as he says, deflowered when she was fifteen, that must be anno 1526 Then some time must be allowed for her going to France, for her living privately there for some time, and afterwards for her coming to court, and meriting those characters that he says went upon her; and, after all that, for her return into England, and insinuating herself into the King's favour; yet by Sanders's own relation, these things must have happened in the same year, 1526; for in that year he makes the King think of putting away his wife, in order to marry Anne Boleyn, when, according to his account, she could be but fifteen years old, though this King had sent Sir Thomas Boleyn into France the first day of his coming to the crown. But that he was not sent so early appears by several grants, that I have seen in the Rolls, which were made to him in the first four years of the King's reign: they sufficiently shew that he was all that while about the King's person, and mention no services beyond sea, but about the King's person, as the ground upon which they were made. Besides, I find in the Treaty-Rolls no mention of his being ambassador the first eight years of the King's reign. In the first year the Bishops of Winchester and Duresme, and the Earl of Surry, are named in the treaty between the two crowns, as the King's ambassadors in France. After this, none could be ambassadors there for two years together; for before two years elapsed, there was a war proclaimed against France, and when overtures were made for a peace, it appears by the Treaty-Rolls that the Earl of Worcester was sent over ambassador. And when the King's sister was sent over

March 10 1509.

Feb. 12. 1511. 1514.

to Lewis, the French King, though Sir Thomas Boleyn went over with her, he was not then so much considered as to be made an ambassador. For in the commission that was given to many persons of quality, to deliver her to her husband, King Lewis the Twelfth, Sir Thomas Boleyn is not named. The persons in the commission are the Duke of Norfolk, the Marquis of Dorchester, the Bishop of Duresme, the Earls of Surry and Worcester, the Prior of St. John's, and Doctor West, dean of Windsor. A year after that, Sir Thomas Boleyn was made ambassador; but then it was too late for Anne Boleyn to be yet unborn, much less could it be, as Sanders says, that she was born two years after it. Sept 23, 6to Regn.

But the learned Cambden, whose study and profession led him to a more particular knowledge of these things, gives us another account of her birth. He says that she was born in the year 1507, which was two years before the King came to the crown. And if it be suggested, that then the Prince, to enjoy her mother, prevailed with his father to send her husband beyond sea, that must be done when the Prince himself was not fourteen years of age; so they must make him to have corrupted other men's wives at that age, when yet they will not allow his brother (no, not when he was two years older) to have known his own wife. Cambd In apparatu ad Hist Eliz Reg.

But now I leave this foul fiction, and go to deliver certain truths. Anne Boleyn's mother was daughter to the Duke of Norfolk, and sister to the Duke that was at the time of the divorce lord treasurer. Her father's mother was one of the daughters and heirs to the Earl of Wiltshire and Ormond, and her great grandfather, Sir Geoffry Boleyn, who had been lord mayor of London, married one of the daughters and heirs of the Lord Hastings; and their family, as they had mixed with so much great blood, so had married their daughters to very noble families. She being but seven years old, was carried over to France with the King's sister, which shews she could have none of those deformities in her person, since such are not brought into the courts and Her birth, 1514 and breeding.

families of queens. And though, upon the French King's death, the Queen Dowager came soon back to England, yet she was so liked in the French court, that the next king Francis's Queen kept her about herself for some years: and after her death the King's sister, the Duchess of Alenson, kept her in her court all the while she was in France; which, as it shews there was somewhat extraordinary in her person, so those princesses being much celebrated for their virtues, it is not to be imagined that any person so notoriously defamed as Sanders would represent her, was entertained in their courts.

Her coming to England, L. Herbert Title and Duplex Cavendish says she was very young Cambden

When she came into England is not so clear; it is said that in the year 1522, when war was made on France, her father, who was then ambassador, was recalled, and brought her over with him, which is not improbable; but, if she came then, she did not stay long in England, for Cambden says, that she served Queen Claudia of France till her death (which was in July, 1524), and after that she was taken into service by King Francis's sister. How long she continued in that service I do not find; but it is probable that she returned out of France with her father, from his embassy in the year 1527; when, as Stow says, he brought with him the picture of her mistress, who was offered in marriage to this King. If she came out of France before, as those authors before-mentioned say, it appears that the King had no design upon her then, because he suffered her to return, and when one mistress died to take another in France; but if she stayed there all this while, then it is probable he had not seen her till now at last, when she came out of the Princess of Alenson's service; but whensoever it was that she came to the court of England, it is certain that she was much considered in it. And though the Queen, who had taken her to be one of her maids of honour, had afterwards just cause to be displeased with her as a rival. yet she carried herself so, that in the whole progress of the suit, I never find the Queen herself, or any of her agents, fix the least ill character on her, which would most

certainly have been done, had there been any just cause or good colour for it.

And so far was this lady, at least for some time, from any thoughts of marrying the King, that she had consented to marry the Lord Piercy, the Earl of Northumberland's eldest son, whom his father, by a strange compliance with the Cardinal's vanity, had placed in his court and made him one of his servants.* The thing is considerable, and clears many things that belong to this history; and the relator of it was an ear-witness of the discourse upon it, as himself informs us The Cardinal, hearing that the Lord Piercy was making addresses to Anne Boleyn, one day as he came from the court, called for him before his servants ("before us all," says the relator, including himself), "and chid him for it, pretending at first that it was unworthy of him to match so meanly; but he justified his choice, and reckoned up her birth and quality, which he said was not inferior to his own. And the Cardinal insisting fiercely to make him lay down his pretensions, he told him he would willingly submit to the King and him; but that he had gone so far before many witnesses, that he could not forsake it, and knew not how to discharge his conscience; and therefore he entreated the Cardinal would procure him the King's favour in it. Upon that the Cardinal, in great rage, said, 'Why thinkest thou that the King and I know not what we have to do in so weighty a matter? Yes, I warrant you; but I can see in thee no submission at all to the purpose;' and said, 'you have matched yourself with such an one, as neither the King, nor yet your father, will agree to it; and therefore I will send for thy father, who at his coming shall either make thee break this unadvised bargain, or disinherit thee for ever.' To which the Lord Piercy replied, That he would submit himself to him, if his conscience were discharged of the weighty burden that lay upon it; and, soon after, his father coming to court, he was diverted another way."

She is tracted to the Lord Piercy.

Cavendish's Life of Wolsey

* The Lord Piercy was in the Cardinal's family rather in a way of education (not unusual in those times) than of service.

Had that writer told us in what year this was done, it had given a great light to direct us, but by this relation we see that she was so far from thinking of the King at that time, that she had engaged herself another way; but how far this went on her side, or whether it was afterwards made use of, when she was divorced from the King, shall be considered in its proper place. It also appears that there was a design about her then formed between the King and the Cardinal; yet how far that went, whether to make her queen, or only to corrupt her, is not evident. It is said, that upon this she ever after hated the Cardinal, and that he never designed the divorce after he saw on whom the King had fixed his thoughts: but all this is a mistake, as will afterwards appear.

L. Herbert.

1527. And now, having made way through these things that were previous to the first motion of the divorce, my narration leads me next to the motion itself. The King, resolving to put the matter home to the Pope, sent Dr. Knight, secretary of state, to Rome, with some instructions to prepare the Pope for it, and to observe what might be the best method, and who the fittest tools to work by. At that time, the family of the Cassali, being three brothers, were entertained by the King as his agents in Italy, both in Rome, Venice, and other places. Sir Gregory Cassali was then his ordinary ambassador at Rome: to him was the first full dispatch about this business directed by the Cardinal, the original whereof is yet extant, dated the 5th of December, 1527, which the reader will find in the Collection: but here I shall give the heads of it.

The King moved for his divorce at Rome.

The first dispatch about it. Collect. Numb 3.

"After great and high compliments, and assurances of rewards, to engage him to follow the business very vigorously, and with great diligence, he writes that he had before opened the King's case to him, and that partly by his own study, partly by the opinion of many divines, and other learned men of all sorts, he found that he could no longer with a good conscience continue in that marriage with the Queen; having God and the quiet and salvation of his soul chiefly before

his eyes. And that he had consulted both the most learned divines and canonists, as well in his own dominions as elsewhere, to know whether the Pope's dispensation could make it good, and that many of them thought the Pope could not dispense in this case of the first degree of affinity, which they esteemed forbidden by a divine, moral, and natural law; and all the rest concluded, that the Pope could not do it, but upon very weighty reasons, and they found not any such in the bull. Then he lays out the reasons for annulling the bull which were touched before, upon which they all concluded the dispensation to be of no force; that the King looked upon the death of his sons as a curse from God; and to avoid further judgments, he now desired help of the apostolic see, to consider his case, to reflect on what he had merited by these services he had done the papacy, and to find a way, that he, being divorced from his Queen, may marry another wife, of whom, by the blessing of God, he might hope for issue male. Therefore the ambassador was to use all means possible to be admitted to speak to the Pope in private, and then to deliver him these letters of credence, in which there was a most earnest clause added with the King's own hand. He was also to make a condolence of the miseries the Pope and cardinals were in, both in the King's name and the Cardinal's, and to assure the Pope they would use all the most effectual means that were possible for setting him at liberty, in which the Cardinal would employ as much industry, as if there were no other way to come to the kingdom of heaven but by doing it. Then he was to open the King's business to the Pope, the scruples of his conscience, the great danger of cruel wars upon so disputable a succession, the entreaties of all the nobility and the whole kingdom, with many other urgent reasons to obtain what was desired. He was also to lay before the Pope the present condition of Christendom and of Italy, that he might consider of what importance it was to his own affairs, and to the apostolic see, to engage the King so firmly to his interests as this would certainly do.

And to move that the Pope without communicating the matter to any person, would freely grant it, and sign the commission which was therewith sent engrossed in due form, and ready to be signed, by which the Cardinal was authorized with the assistance of such as he should choose, to proceed in the matter, according to some instructions which were also sent fairly written out for the Pope to sign. A dispensation was also sent in due form; and if these were expeded, he might assure the Pope that as the King had sent over a vast sum to the French King, for paying his army in Italy, so he would spare no travel nor treasure, but make war upon the Emperor in Flanders, with his whole strength, till he forced him to set the Pope at liberty, and restore the state of the church to its former power and dignity. And if the Pope were already at liberty, and had made an agreement with the Emperor, he was to represent to him how little cause he had to trust much to the Emperor, who had so oft broke his faith, and designed to do all he could towards the depressing the ecclesiastical state. And the Pope was to be remembered, that he had dispensed with the Emperor's oath, for marrying the King's daughter, without communicating the matter to the King. And if he had done so much for one that had been his enemy, how much more might the King expect the like favour, who had always paid him a most filial duty? Or if the Pope would not grant the commission to the Cardinal to try the matter, as a person that, being the King's chief minister, was not indifferent enough to judge in any of the King's concerns; he was by all means to overcome that, and assure the Pope that he would proceed in it as a judge ought to do. But if the Pope stood upon it, and would by no means be persuaded to sign the commission for the Cardinal, then he was to propose Staphileus, dean of the Rota, who was then in England; and was to except against all other foreigners, if the Pope chanced to propose any other. He was also to represent to the Pope, that the King would look upon a delay as a denial; and if the Pope inclined to con-

sult with any of the cardinals about it, he was to divert him from it all that was possible: but if the Pope would needs do it, then he was to address himself to them, and partly by informing them of the reasons of the King's cause, partly by rewarding the good offices they should do, he was to engage them for the King. And with this dispatch, letters were sent to Cardinal Pucci, Sanctorum Quatuor, and the other cardinals, to be made use of as there should be occasion for it. And because money was like to be the most powerful argument, especially to men impoverished by captivity, ten thousand ducats were remitted to Venice, to be distributed as the King's affairs required; and he was empowered to make farther promises, as he saw cause for it, which the King would faithfully make good, and, in particular, they were to be wanting in nothing, that might absolutely engage the Cardinal Datary to favour the King's business."

The same things had been committed to the Secretary's care, and they were both to proceed by concert, each of them doing all that was possible to promote the business. But before this reached Rome, Secretary Knight was come thither, and finding it impossible to be admitted to the Pope's presence, he had, by corrupting some of his guards, sent him the sum of the King's demands. Upon which the Pope sent him word, that the dispensation should be sent fully expeded. So gracious was a Pope in captivity! But at that time the General of the Observants in Spain being at Rome, required a promise of the Pope not to grant any thing that might prejudice the Queen's cause, till it were first communicated to the imperialists there. But when the Pope made his escape, the Secretary and the Ambassador went to him to Orvieto about the end of December, and first did, in the King's and Cardinal's name, congratulate his freedom. Then the Secretary discoursed the business. The Pope owned that he had received the message which he had sent to him at Rome; but in respect of his promise, and that yet in a manner he was in

The Pope grants it when he was in prison. Collect Numb. 4.

Pope escaped, Dec. 9.

captivity, he begged the King would have a little patience, and he should before long have not only that dispensation, but any thing else that lay in his power. But the Secretary not being satisfied with that excuse, the Pope in the end said he should have it; but with this condition, that he would beseech the King not to proceed upon it, till the Pope were fully at liberty, and the Germans and Spaniards were driven out of Italy. And upon the King's promising this, the dispensation was to be put in his hands. So the Secretary, who had a great mind once to have the bull in his possession, made no scruple to engage his promise for that. The Pope also told them, he was not expert in those things, but he easily apprehended the danger that might arise from any dispute about the succession to the crown, and that therefore he would communicate the business to the Cardinal Sanctorum Quatuor; upon which they resolved to prevent that Cardinal's being with the Pope, and went and delivered the letters they had for him, and promised him a good reward if he were favourable to their requests in the King's behalf. Then they shewed him the commissions that were sent from England: but he, upon the perusal of them, said they could not pass without a perpetual dishonour on the Pope and the King too and excepted to several clauses that were in them. So they desired him to draw one that might both be sufficent for the King's purpose, and such as the Pope might with honour grant: which being done, the Pope told them, that though he apprehended great danger to himself, if the Emperor should know what he had done, yet he would rather expose himself to utter ruin, than give the King or the Cardinal cause to think him ingrate; but with many sighs and tears, he begged that the King would not precipitate things, or expose him to be undone, by beginning any process upon the bull. And so he delivered the commission and dispensation, signed, to Knight. But the means that the Pope proposed for his publishing and owning what he now granted was, that Lautrech, with the French army, should march, and, coming where the Pope was,

And being at liberty gives a bull for it.

The Pope's craft and policy.

should require him to grant the commission: so that the Pope should excuse himself to the Emperor, that he had refused to grant it upon the desire of the English Ambassador, but that he could not deny the General of the French army to do an act of public justice: and by this means he would save his honour, and not seem guilty of breach of promise; and then he would dispatch the commission about the time of Lautrech's being near him, and therefore he entreated the King to accept of what was then granted for the present. The commission and dispensation were given to the Secretary; and they promised to send the bull after him, of the same form that was desired from England, and the Pope engaged to reform it as should be found needful. And it seems by these letters, that a dispensation and commission had been signed by the Pope when he was a prisoner; but they thought not fit to make any use of them, lest they should be thought null, as being granted when the Pope was in captivity.

And the measures that governed them

Thus the Pope expressed all the readiness that could be expected from him, in the circumstances he was then in; being overawed by the imperialists, who were harassing the country, and taking castles very near the place where he was. Lautrech with the French army lay still fast about Bononia, and as the season of the year was not favourable, so he did not express any inclinations to enter into action. The Cardinal Sanctorum Quatuor got four thousand crowns as the reward of his pains, and in earnest of what he was to expect when the matter should be brought to a final conclusion. In this whole matter, the Pope carried himself as a wise and politic prince, that considered his interest, and provided against dangers with great foresight. But as for apostolical wisdom, and the simplicity of the gospel, that was not to be expected from him. For now, though the high-sounding names of *Christ's Vicar*, and *St. Peter's Successor*, were still retained to keep up the Pope's dignity and authority, yet they had for many ages governed themselves as secular princes; so that the

maxims of that court were no more to keep a good conscience, and to proceed according to the rules of the gospel, and the practice of the primitive church, committing the event to God, and submitting to his will in all things: but the keeping a balance, the maintaining their interest in the courts of princes, the securing their dominions, and the raising their families, being that which they chiefly looked at, it is not to be wondered at, that the Pope governed himself by these measures, though religion was to be made use of to help him out of straits. All this I set down the more particularly, both because I take my information from original letters, and that it may clearly appear how matters went at that time in the court of Rome.

Secretary Knight, being infirm, could not travel with that haste that was required in this business, and therefore he sent the Proto-notary Gambara with the commission and dispensation to England, and followed in easy journeys. The cardinals that had been consulted with, did all express great readiness in granting the King's desire. The Cardinal Datary had forsaken the court, and betaken himself to serve God and his cure; and other cardinals were hostages: so that now there were but five about the Pope—Monte, Sanctorum Quatuor, Ridolphi, Revennate, and Perusino. But a motion being made of sending over a legate, the Pope would by no means hearken to it, for that would draw new troubles on him from the Emperor. That had been desired from England by a dispatch of the 27th of December, which pressed a speedy conclusion of the business; upon which the Pope, on the 12th of January, did communicate the matter under the seal of confession to the cardinals Sanctorum Quatuor and Simoneta (who was then come to the court), and upon conference with them, he proposed to Sir Gregory Cassali, that he thought the safer way was, "That either by virtue of the commission that the Secretary had obtained, or by the legantine power that was lodged with the Cardinal of York, he should proceed in the business. And if the King

Collect. Numb 5

The method proposed by the Pope. Collect. Numb. 6.

found the matter clear in his own conscience (in which the Pope said, no doctor in the whole world could resolve the matter better than the King himself), he should without more noise make judgment be given; and presently marry another wife, and then send for a legate to confirm the matter. And it would be easier to ratify all when it was once done, than to go on in a process from Rome. For the Queen would protest, that both the place and the judges were suspected and not free; upon which, in the course of law, the Pope must grant an inhibition for the King's not marrying another, while the suit depended, and must avocate the business to be heard in the court of Rome; which, with other prejudices, were unavoidable in a public process, by bulls from Rome. But if the thing went on in England, and the King had once married another wife, the Pope then would find very good reasons to justify the confirming a thing that was gone so far, and promised to send any cardinal whom they should name." This the Pope desired the Ambassador would signify to the King, as the advice of the two Cardinals, and take no notice of him in it. But the dispatch shews he was a more faithful minister than to do so.

The Ambassador found all the earnestness in the Pope that was possible to comply with the King, and that he was jealous both of the Emperor and Francis, and depended wholly on the King, so that he found if the terror of the imperial forces were over, the court of England would dispose of the apostolical see as they pleased. And indeed this advice, how little soever it had of the simplicity of the gospel, was certainly prudent and subtle, and that which of all things the Spaniards apprehended most. And therefore the General of the Observants moved Cardinal Campegius, then at Rome, for an inhibition, lest the process should be carried on and determined in England. But that being signified to the Pope, he said, It could not be granted, since there was no suit depending; in which case only an inhibition can be granted.

But now I must look over again to England, to open

Staphileus sent from England.

the counsels there. At that time Staphileus was there, and he, either to make his court the better, or that he was so persuaded in opinion, seemed fully satisfied about the justice of the King's cause. So they sent him to Rome with instructions both public and secret.

His instructions

The public instructions related to the Pope's affairs, in which all possible assistance was promised by the King. But one proposition in them flowed from the Cardinal's ambition, "That the kings of England and France thought it would advance the Pope's interests, if he should command the cardinals that were under no restraint, to meet in some secure place, to consider of the affairs of the church, that they might suffer no prejudice by the Pope's captivity; and for that end, and to conserve the dignity of the apostolic see, that they should choose such a vicar or president, as partly by his prudence and courage, partly by the assistance of the two Kings, upon whom depended all their hopes, might do such services to the apostolic see, as were most necessary in that distracted time, by which the Pope's liberty would be hastened."

Cotton Lib Vitel B 10 Jan. 8

Duplicates corrected by the Cardinal's hand

It cannot be imagined but the Pope would be offended with this proposition, and apprehend that the Cardinal of York was not satisfied to be intriguing for the popedom after his death, but was aspiring to it while he was alive. For as it was plain he was the person that must be chosen for that trust; so if the Pope were used hardly by the Emperor, and forced to ill conditions, the vicar so chosen and his cardinals would disown those conditions, which might end in a schism, or his deposition. But Staphileus's secret instructions related wholly to the King's business, which were these; "That the King had opened to him the error of his marriage, and that the said Bishop, out of his great learning, did now clearly perceive how invalid and insufficient it was: therefore the King recommended it to his care, that he would convince the Pope and the cardinals with the arguments that had been laid before him, and of which a breviate was given him. He was also to represent the great mischiefs that might follow, if princes got not justice and

ease from the apostolic see. Therefore, if the Pope were yet in captivity, he was to propose a meeting of the cardinals, for choosing the Cardinal of York to be their head, during the Pope's imprisonment, or that a full commission might be sent to him for the King's matter. And in particular he was to take care that the business might be tried in England. And for his pains in promoting the King's concerns, the King promised to procure a bishoprick for him in France; and to help him to a cardinal's hat." By him the King wrote to the Pope. The rude draught of it remains under the Cardinal's hand, earnestly desiring a speedy and favourable dispatch of his business with a credence to the bearer.

The Cardinal also wrote to the Pope by him, and, after a long congratulating his liberty, with many sharp reflections on the Emperor, he pressed a dispatch of the King's business, in which he would not use many words: "This only I will add," says he, "that that which is desired is holy and just, and very much for the safety and quiet of this kingdom, which is most devoted to the apostolical see. He also wrote by the same hand to the Ambassador, that the King would have things so carried, that all occasion of discontent or cavilling, whether at home or abroad, might be removed; and therefore desired that another cardinal might be sent legate to England, and joined in commission with himself for judging the matter. He named either Campegius, Tranus, or Farnese. Or if that could not be obtained, that a fuller commission might be sent to himself, with all possible haste, since delays might produce great inconveniences. If a legate were named, then care must be taken that he should be one who was learned, indifferent, and tractable; and if Campegius could be the man, he was the fittest person. And when one was named, he should make him a decent present, and assure him that the King would most liberally recompense all his labour and expense. He also required him to press his speedy dispatch, and that the commission should be full to try and determine, without any reservation of

The Cardinal's letters by him.

the sentence to be given by the Pope." This dispatch is interlined, and amended by the Cardinal's own hand.

A larger bull desired by the King

But, upon the arrival of the messenger whom the Secretary had sent, with the commission and dispensation, and the other packets before-mentioned; it was debated in the King's council, whether he should go on in his process, or continue to solicit new bulls from Rome. On the one hand, they saw how tedious, dangerous, and expensive a process at Rome was like to prove: and therefore it seemed the easiest and most expedite way to proceed before the Cardinal in his legantine court, who should *ex officio* and in the summary way of their court, bring it to a speedy conclusion. But, on the other hand, if the Cardinal gave sentence, and the King should marry, then they were not sure, but before that time the Pope might either change his mind, or his interest might turn him another way. And the Pope's power was so absolute by the canon law, that no general clauses in commissions to legates could bind him to confirm their sentences: and if, upon the King's marrying another wife, the Pope should refuse to confirm it, then the King would be in a worse case than he was now in, and his marriage and issue by it should be still disputable: therefore they thought this was by no means to be adventured on, but they should make new addresses to the court of Rome. In the debate, some sharp words fell either from the King, or some of his secular counsellors; intimating, that if the Pope continued under such fears, the King must find some other way to set him at ease. So it was resolved, that Stephen Gardiner, commonly called Doctor Stephens, the Cardinal's chief secretary, and Edward Fox, the King's almoner, should be sent to Rome; the one being esteemed the ablest canonist in England, the other, one of the best divines: they were dispatched the 10th of February. "By them the King wrote to the Pope, thanking him that he had expressed such forward and earnest willingness to give him ease: and had so kindly promised to gratify his desires, of which he expected now to see the effects. He wrote also to the cardinals his thank for

Gardiner and Fox sent to Rome.

With letters from the King

Collect. Numb. 7.

the cheerfulness with which they had in consistory promised to promote his suit; for which he assured them, they should never have cause to repent." But the Cardinal wrote in a strain that shews he was in some fear that if he could not bring about the King's desires, he was like to lose his favour. "He besought the Pope as lying at his feet, that if he thought him a Christian, a good cardinal, and not unworthy of that dignity, a useful member of the apostolical see, a promoter of justice and equity, or thought him his faithful creature, or that he desired his own eternal salvation, that he would now so far consider his intercession, as to grant kindly and speedily that which the King earnestly desired; which if he did not know to be holy, right, and just, he would undergo any hazard or punishment whatsoever, rather than promote it; but he did apprehend, if the King found that the Pope was so overawed by the Emperor, as not to grant that which all Christendom judged was grounded both on the divine and human laws, both he and other Christian princes would from thence take occasion to provide themselves of other remedies, and lessen and despise the authority of the apostolic see." In his letters to Cassali, he expressed a great sense of the services which the Cardinal Sanctorum Quatuor had done the King; and bid him inquire what were the things in which he delighted most, whether furniture, gold, plate, or horses, that they might make him acceptable presents; and assure him, that the King would contribute largely towards the carrying on the building of St. Peter's in the Vatican.

And the Cardinal. Collect. Numb. 8.

Collect. Numb. 9

The most important thing about which they were employed, was to procure the expediting of a bull which was formed in England, with all the strongest clauses that could be imagined. In the preamble of which all the reasons against the validity of the bull of P. Julius the Second were recited; and it was also hinted, "that it was against the law of God; but to lessen that, it was added, At least where there was not a sufficient dispensation obtained: therefore the Pope, to reward the great services by which the King

The substance of the bull desired by them. Collect. Numb. 10.

had obliged the apostolic see, and having regard to the distractions that might follow on a disputable title; upon a full consultation with the cardinals, having also heard the opinions of divines and canonists, deputed—for his legate to concur with the Cardinal of York either together, or (the one being hindered or unwilling) severally. And if they found those things that were suggested against the bull of P. Julius, or any of them, well or sufficiently proved, then to declare it void or null, as surreptitiously procured upon false ground; and thereupon to annul the marriage that had followed upon it: and to give both parties full leave to marry again, notwithstanding any appellation or protestation, the Pope making them his vicars with full and absolute power and authority; empowering them also to declare the issue begotten in the former marriage good and legitimate, if they saw cause for it. The Pope binding himself to confirm whatever they should do in that process, and never to revoke or repeal what they should pronounce. Declaring also that this bull should remain in force till the process were ended, and that by no renovation or inhibition it should be recalled; and if any such were obtained, these are all declared void and null, and the legates were to proceed notwithstanding: and all ended with a full *non obstante*."

This was judged the utmost force that could be in a bull, though the civilians would scarce allow any validity at all in these extravagant clauses; but the most material thing in this bull is, that it seems the King was not fully resolved to declare his daughter illegitimate. Whether he pretended this to mitigate the Queen's or the Emperor's opposition, or did really intend it, is not clear. But what he did afterwards in parliament, shews he had this deep in his thoughts, though the Queen's carriage did soon after provoke him to pursue his resentments against her daughter. The French King did also join a most earnest letter of his to the Pope, which they were also to deliver. They had likewise a secret instruction by all means to endeavour that Cardinal Campegio should be the

legate: he had the reputation of a learned canonist, and they knew he was a tractable man; and besides that he was bishop of Salisbury, the King had obliged him by the grant of a palace which the King was building in Burgo at Rome for his ambassadors; which, before it was finished, he had, by a patent, given to him and his heirs; so they had better hopes of him than of any other. Rot. Pat. 6da Para. Regn. 10.

By these ambassadors the Cardinal wrote a long and most earnest letter to John Cassali, the protonotary, that was the ambassador's brother. In which all the arguments that a most anxious mind could invent or dictate, are laid together to persuade the Pope to grant the King's desires. Among other things, he tells him, "How he had engaged to the King that the Pope would not deny it; that the King, both out of scruple of conscience, and because of some diseases in the Queen that were incurable, had resolved never to come near her more; and that if the Pope continued, out of his partial respects to the Emperor, to be inexorable, the King would proceed another way." He offers to take all the blame of it upon his own soul, if it were amiss; with many other particulars, in which he is so pressing, that I cannot imagine what moved the Lord Herbert, who saw those letters, to think that the Cardinal did not really intend the divorce.* He (it seems) saw another paper of their instructions, by which they were ordered to say to the Pope, that the Cardinal was not the author of the counsel. But all that was intended by that, was only to excuse him so far, that he might not be thought too partial, and an incompetent judge: for as he was far from disowning the justice of the King's suit, so he would not have trusted a secret of that importance to paper; which, when it should be known to the King, would have lost him his favour. But undoubtedly it was concerted between the King and him, to The Cardinal's earnestness in this matter. Collect Numb 11.

* See below, p 118 where the King absolves Wolsey from the charge of having suggested or much promoted the divorce he certainly, however, appeared very earnest to hasten the process at Rome, when he found the King himself in earnest, and was only backward probably whenever things seemed to be taking a turn contrary to his own plans.—N.

remove an exception which otherwise the cardinals of the imperial faction would have made to his being the judge in that matter.

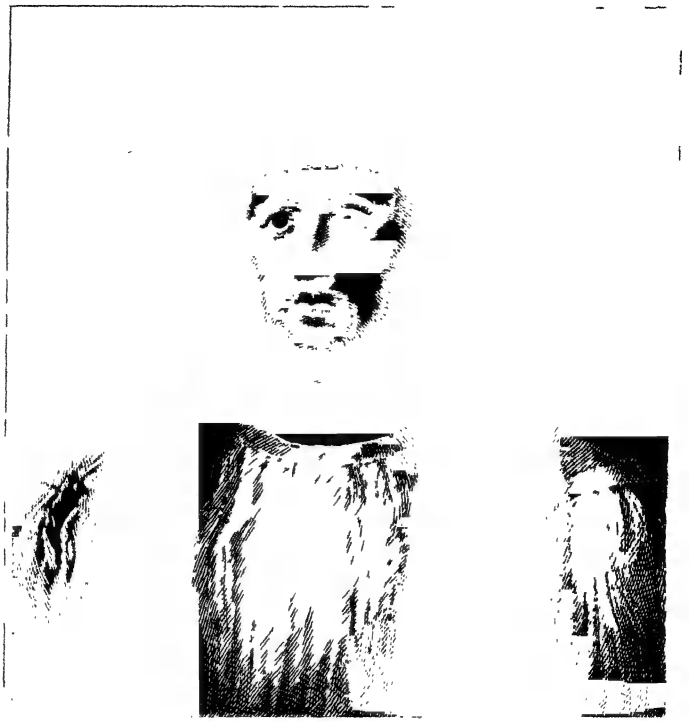
Collect. Numb. 12. With those letters and instructions were Gardiner and Fox sent to Rome, where both the Cassalis* and Staphileus were promoting the King's business all they could. And being strengthened with the accession of those other two, they made a greater progress; so that in April the Pope did, in consistory, declare Cardinal Campegio legate, to go to England, that he, with the Cardinal of York, might try the validity of the King's marriage; but that Cardinal made great excuses: he was then legate at Rome, in which he had such advantages, that he had no mind to enter in a business which must for ever engage either the Emperor or the King against him. He also pretended an inability to travel so great a journey, being much subject to the gout. But when this was known in England, the Cardinal wrote him a most earnest letter to hasten over, and bring with him all such things as were necessary for making their sentence firm and irreversible, so that it might never again be questioned.

Campegio declared legate Collect. Numb. 13.

Wolsey writes to him to haste over. May 7.

But here I shall add a remark which, though it is of no great importance, yet will be diverting to the reader. The draught of the letter is in Wolsey's secretary's hand, amended in some places by his own; and concluded thus:—"I hope all things shall be done according to the will of God, the desire of the King, the quiet of the kingdom, and to our honour, with a good conscience." But the Cardinal dashed out this last word, "with a good conscience;" perhaps judging that it was a thing fit for meaner persons, but that it was below the dignity of two cardinals to consider it much. He wrote also to Cassali high compliments for his diligence in the step that was made, but desired him with all possible means to get the bull granted and trusted to his keeping, with the deepest protestations, that no use should be made of it, but

* S. Greg. Cassali was not then at Rome, but at Orvieto, where the Pope was at that time. Staphileus was not yet come; and when he came, he did not promote but hindered the King's business all he could.—See Gardiner's Letters.



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BISHOP GARDINE

that the King only should see it; by which his mind would be at ease, and he, being put in good hopes, would employ his power in the service of the Pope and apostolic see; but the Pope was not a man to be cozened so easily.

When the Cardinal heard, by the next dispatch, what excuses and delays Campegio made, he wrote to him again, and pressed his coming over in haste: —"For his being legate of Rome, he desired him to name a vice-legate. For his want of money and horses, Gardiner would furnish him as he desired, and he should find an equipage ready for him in France; and he might certainly expect great rewards from the King. But if he did not make more haste, the King would incline to believe an advertisement that was sent him, of his turning over to the Emperor's party. Therefore, if he either valued the King's kindness, or were grateful for the favours he had received from him; if he valued the Cardinal's friendship or safety, or if he would hinder the diminution of the authority of the Roman church, all excuses set aside, he must make what haste in his journey was possible." Yet the Legate made no great haste, for till October following he came not into England. The bull that was desired could not be obtained, but another was granted, which perhaps was of more force, because it had not those extraordinary clauses in it. There is the copy of a bull to this purpose in the Cottonian library, which has been printed more than once by some that have taken it for a copy of the same bull that was sent by Campegio; but I take it to be rather a copy of that bull which the Pope signed at Rome, while he was there a prisoner, and probably afterwards at Orvieto he might give it the date that it bears, 1527, December 17.* But that there was a decretal bull, sent by Campegio, will appear evidently in the sequel of this relation. About this time I meet with the first evidence of the progress of the King's love to

May 23, 1528.

The Pope grants a decretal bull Anti-Sanderus L. Herbert.

* This was the third commission sent from the Pope. The first was sent from Rome, by Gambara, and the second from Orvieto, brought over by Fox; but both were disliked, so this was now obtained.

Anne Boleyn, in two original letters of her's to the Cardinal, from which it appears, not only that the King had then resolved to marry her, but that the Cardinal was privy to it. They bear no date, but the matter of them shews they were written after the end of May, when the sweating-sickness began, and about the time that the Legate was expected. They give such a light to the history, that I shall not cast them over to the collection at the end, but set them down here.

"MY LORD,

Two letters of Anne Boleyn's to Wolsey

"In my most humblest wise that my heart can think, I desire you to pardon me that I am so bold to trouble you with my simple and rude writing, esteeming it to proceed from her, that is much desirous to know that your Grace does well, as I perceive by this bearer that you do. The which I pray God long to continue, as I am most bound to pray; for I do know the great pains and troubles that you have taken for me both day and night, is never like to be recompensed on my part, but alonely in loving you next unto the King's Grace, above all creatures living. And I do not doubt that the daily proofs of my deeds shall manifestly declare and affirm my writing to be true, and I do trust you do think the same. My Lord, I do assure you I do long to hear from you news of the Legate: for I do hope and they come from you they shall be very good; and I am sure you desire it as much as I, and more, and it were possible, as I know it is not: and thus remaining in a steadfast hope, I make an end of my letter, written with the hand of her that is most bound to be.

A post script of the King's to him.

"The writer of this letter would not cease till she had caused me likewise to set to my hand; desiring you, though it be short, to take it in good part. I ensure you there is neither of us but that greatly desireth to see you, and much more joyous to hear that you have scaped this plague so well, trusting the fury thereof to be passed, specially with them that keepeth good diet, as I trust you do. The not hearing of the Legate's arrival in France, causeth us somewhat to

muse; notwithstanding, we trust, by your diligence and vigilancy (with the assistance of Almighty God) shortly to be eased out of that trouble. No more to you at this time; but that I pray God send you as good health and prosperity as the writer would. By your

Loving sovereign and friend,
HENRY K.

Your humble servant,
ANNE BOLEYN."

"MY LORD,

"In my most humble wise that my poor heart can think, I do thank your Grace for your kind letter, and for your rich and goodly present, the which I shall never be able to deserve without your help: of the which I have hitherto had so great plenty, that all the days of my life I am most bound of all creatures, next the King's Grace, to love and serve your Grace: of the which I beseech you never to doubt that ever I shall vary from this thought as long as any breath is in my body. And as touching your Grace's trouble with the sweat, I thank our Lord that them that I desired and prayed for, are escaped, and that is the King and you; not doubting but that God has preserved you both for great causes, known alonely of his high wisdom. And as for the coming of the Legate, I desire that much, and if it be God's pleasure, I pray him to send this matter shortly to a good end, and then I trust, my Lord, to recompense part of your great pains. In the which I must require you in the mean time to accept my good will, in the stead of the power, the which must proceed partly from you, as our Lord knoweth; to whom I beseech to send you long life, with continuance in honour. Written with the hand of her that is most bound to be,

Your humble and obedient servant,
ANNE BOLEYN."

The Cardinal, hearing that Campegius had the decretal bull committed to his trust, to be shewed only to the King and himself, wrote to the Ambassador that it was necessary it should be also shewed to

Collect. Numb 14.

some of the King's council; not to make any use of it, but that thereby they might understand how to manage the process better by it. This he begged might be trusted to his care and fidelity, and he undertook to manage it so, that no kind of danger could arise out of it.

The Cardinal's colleges finished.

At this time the Cardinal, having finished his foundations at Oxford and Ipswich, and finding they were very acceptable, both to the King and to the clergy, resolved to go on and suppress more monasteries, and erect new bishopricks, turning some abbeys to cathedrals. This was proposed in the consistory, and

Oct. 30.

granted, as appears by a dispatch of Cassali's. He also spoke to the Pope about a general visitation of all monasteries: and, on the 4th of November, the bull for suppressing some was expected; a copy whereof is yet extant, but written in such a hand, that I could not read three words together in any place of it; and though I tried others that were good at reading all hands, yet they could not do it. But I find by the dispatch, that the Pope did it with some aversion; and when Gardiner told him plainly, It was necessary, and it must be done, he paused a little, and seemed unwilling to give any further offence to religious orders: but since he found it so uneasy to gratify the King in so great a point, as the matter of his divorce, he judged it the more necessary to mollify him by a compliance in all other things. So

More monasteries were to be suppressed.

there was a power given to the two Legates to examine the state of the monasteries, and to suppress such as they thought fit, and convert them into bishopricks and cathedrals.

The Emperor opposes the King's suit

While matters went thus between Rome and England, the Queen was as active as she could be, to engage her two nephews, the Emperor and his brother, to appear for her. She complained to them much of the King, but more of the Cardinal; she also gave them notice of all the exceptions that were made to the bull, and desired both their advice and assistance. They, having a mind to perplex the King's affairs, advised her by no means to yield, nor to be induced

to enter into a religious life; and gave her assurance, that by their interest at Rome, they would support her, and maintain her daughter's title, if it went to extremities. And as they employed all their agents at Rome to serve her concerns, so they consulted with the canonists about the force of the exceptions to the bull. The issue to which was, that a breve was found out or forged, that supplied some of the most material defects in the bull. For whereas in the bull, the preamble bore, that the King and Queen had desired the Pope's dispensation to marry, that the peace might continue between the two crowns, without any other cause given: in the preamble of this breve, mention is made of their desire to marry, "because otherwise it was not likely that the peace would be continued between the two crowns: and for that, and divers other reasons, they asked the dispensation." Which in the body of the breve is granted, bearing date the 26th of December, 1503. Upon this they pretended that the dispensation was granted upon good reasons; since by this petition it appeared, that there were fears of a breach between the crowns, and that there were also other reasons made use of, though they were not named. But there was one fatal thing in it. In the bull it is only said, that the Queen's petition bore, "That perhaps she had consummated her marriage with Prince Arthur, by the *carnalis copula*." But in this *perhaps* is left out, and it is plainly said, That they had consummated their marriage. This the King's council, who suspected that the breve was forged, made great use of when the question was argued, whether Prince Arthur knew her or not? Though at this time it was said, the Spaniards did put it in on design, knowing it was like to be proved that the former marriage was consummated; which they intended to throw out of the debate, since by this it appeared, that the Pope did certainly know that, and yet granted the breve; and that therefore there was to be no more inquiry to be made into that, which was already confessed: so that all that was now to be debated was the Pope's power of granting

A breve found out in Spain. Collect. Numb 25.

such a dispensation, in which they had good reason to expect a favourable decision at Rome.

Presumptions of its being forged

But there appeared great grounds to reject this breve as a forged writing. It was neither in the records of England nor Spain, but said to be found among the papers of D. de Puebla, that had been the Spanish ambassador in England at the time of concluding the match. So that if he only had it, it must have been cassated, otherwise the parties concerned would have got it into their hands; or else it was forged since. Many of the names were written false, which was a presumption that it was lately made by some Spaniards, who knew not how to write the names true. For Sigismund, who was secretary, when it was pretended to have been signed, was an exact man, and no such errors were found in breves at that time. But that which shewed it a manifest forgery, was, that it bore date the 26th of December, anno 1503, on the same day that the bull was granted. It was not to be imagined, that in the same day, a bull and a breve should have been expedited in the same business, with such material differences in them. And the style of the court of Rome had this singularity in it; that in all their breves, they reckon the beginning of the year from Christmas-day; which being the nativity of our Lord, they count the year to begin then. But in their bulls they reckon the year to begin at the Feast of the Annunciation. So that a breve dated the 26th of December, 1503, was, in the vulgar account, in the year 1502: therefore it must be false;* for neither was Julius the Second, who granted it, then pope, nor was the treaty of the marriage so far advanced at that time, as to admit of a breve so soon. But allowing the breve to be true, they had many of the same exceptions to it that they had to the bull, since it bore that the King desired the marriage, to avoid a breach between the crowns; which was false. It likewise bore, that the

* Dr Lingard in his History of England, endeavours still to support the genuineness of this breve, and asserts it to have been usual, in cases where two dispensations were required, to employ in the last instrument the original date, but he does not mention his authority for this, and seems at last to resolve the question, into a supposed blunder on the part of the Clerk.—N.

marriage had been consummated between the Queen and Prince Arthur, which the Queen denied was ever done; so that the suggestion in her name being, as she said, false, it could have no force, though it were granted to be a true breve: and they said, it was plain the Imperialists were convinced the bull was of no force, since they betook themselves to such arts to fortify their cause.

Campegio comes into England

When Cardinal Campegio came to England, he was received with the public solemnities ordinary in such a case; and in his speech at his first audience, he called the King "The deliverer of the Pope, and of the city of Rome," with the highest compliments that the occasion did require. But when he was admitted to a private conference with the King and the Cardinal, he used many arguments to dissuade the King from prosecuting the matter any further. This the King took very ill, as if his errand had been rather to confirm than annul his marriage; and complained that the Pope had broken his word to him. But the Legate studied to qualify him, and shewed the decretal bull, by which he might see, that though the Pope wished rather that the business might come to a more friendly conclusion, yet if the King could not be brought to that, he was empowered to grant him all that he desired. But he could not be brought to part with the decretal bull out of his hands, or to leave it for a minute, either with the King or the Cardinal, saying, That it was demanded on these terms, that no other person should see it; and that Gardiner and the Ambassador had only moved to have it expedited, and sent by the Legate, to let the king see how well the Pope was affected to him. With all this the King was much dissatisfied; but to encourage him again, the Legate told him, he was to speak to the Queen in the Pope's name, to induce her to enter into a religious life, and to make the vows. But when he proposed that to her, she answered him modestly, that she could not dispose of herself but by the advice of her nephews.

And shews the King the bull

But refuses to let it be seen to the council

Of all this the Cardinal of York advertised the Cas-

Wolsey's endeavour at Rome that it might be shewed * Collect Numb 16

salis, and *ordered them to use all possible endeavours, that the bull might be shewn to some of the King's council. Upon that (Sir Gregory being then out of Rome) the Proto-notary went to the Pope, and complained that Campegio had dissuaded the divorce. The Pope justified him in it, and said, he did as he had ordered him. He next complained that the Legate would not proceed to execute the legantine commission. The Pope denied that he had any order from him to delay his proceedings, but that by virtue of his commission they might go on and pass sentence. Then the Proto-notary pressed him for leave to shew the bull to some of the King's council, complaining of Campegio's stiffness in refusing it, and that he would not trust it to the Cardinal of York, who was his equal in the commission. To this the Pope answered in passion, that he could shew the Cardinal's letter, in which he assures him, that the bull should only be shewed to the King and himself; and that if it were not granted, he was ruined? therefore to preserve him he had sent it, but had ordered it to be burnt when it was once shewed. He wished he had never sent it, saying, he would gladly lose a finger to recover it again, and expressed great grief for granting it: and said, they had got him to send it, and now would have it shewn, to which he would never consent, for then he was undone for ever. Upon this, the Proto-notary laid before him the danger of losing the King, and the kingdom of England; of ruining the Cardinal of York, and of the undoing of their family, whose hopes depended on the Cardinal; and that by these means, heresy would prevail in England, which, if it once had got footing there, would not be so easily rooted out; that all persons judged the King's cause right, but though it were not so, some things that were not good must be borne with to avoid greater evils. And at last he fell down at his feet, and in most passionate expressions begged him to be more compliant to the King's desires, and at least not to deny that small favour of shewing the decretal to some few counsellors, upon the assurance of absolute secrecy. But the Pope in-

Collect Numb. 17

But all in vain.

terrupted him, and with great signs of an unusual grief told him, these sad effects could not be charged on him; he had kept his word, and done what he had promised, but upon no consideration would he do any thing that might wound his conscience, or blemish his integrity: therefore let them proceed as they would in England, he should be free of all blame, but should confirm their sentence. And he protested he had given Campegio no commands to make any delays, but only to give him notice of their proceedings. If the King, who had maintained the apostolic see, had written for the faith, and was the defender of it, would overturn it, it would end in his own disgrace. But at last the secret came out: for the Pope confessed there was a league in treaty between the Emperor and himself; but denied that he had bound himself up by it as to the King's business.

The Pope consulted with the Cardinals Sanctorum Quatuor and Simonetta (not mentioning the decretal to them, which he had granted without communicating it to any body, or entering it in any register), and they were of opinion that the process should be carried on in England without demanding any thing further from Rome. But the imperial Cardinals spake against it, and were moving presently for an inhibition, and an avocation of the cause to be tried at the court of Rome. The Pope also took notice that the intercession of England and France had not prevailed with the Venetians to restore Cervia and Ravenna, which they had taken from him; and that he could not think that republic durst do so, if these Kings were in earnest. It had been promised that they should be restored as soon as his Legate was sent to England; but it was not yet done. The Proto-notary told him, it should most certainly be done. Thus ended that conversation. But the more earnest the Cardinal was to have the bull seen by some of the privy-council, the Pope was the more confirmed in his resolutions never to consent to it. For he could not imagine the desire of seeing it was a bare curiosity, or only to direct the King's counsellors; since the King and the Cardinal

could inform them of all the material clauses that were in it. Therefore he judged the desire of seeing it was only that they might have so many witnesses to prove that it was once granted, whereby they had the Pope in their power; and this he judged too dangerous for him to submit to.

The Pope sends Campana to England Collect Numb 18

But the Pope finding the King and the Cardinal so ill satisfied with him, resolved to send Francisco Campana, one of his bed-chamber, to England, to remove all mistakes, and to feed the King with fresh hopes. In England, Campegio found still means by new delays to put off the business, and amused the King with new and subtle motions for ending the matter more dexterously. Upon which, in the beginning of December, Sir Francis Brian and Peter Vannes, the King's secretary for the Latin tongue, were sent to Rome. They had it in commission to search all the records there, for the breve that was now so much talked of in Spain. They were to propose several overtures: "Whether if the Queen vowed religion, the Pope would not dispense with the King's second marriage? Or, if the Queen would not vow religion unless the King also did it, whether in that case would the Pope dispense with his vow? Or whether, if the Queen would hear of no such proposition, would not the Pope dispense with the King's having two wives, for which there were divers precedents vouched from the Old Testament?" They were to represent to the Pope that the King had laid out much of his best treasure in his service, and therefore he expected the highest favours out of the deepest treasure of the church. And Peter Vannes was commanded to tell the Pope as of himself, that if he did, for partial respects and fears, refuse the King's desires, he perceived it would not only alienate the King from him, but that many other princes, his confederates, with their realms, would withdraw their devotion and obedience from the apostolic see.

New ambassadors sent to Rome.

With other overtures

Collect Numb 19

A guard of two thousand men offered to the Pope

By a dispatch that followed them, the Cardinal tried a new project, which was an offer of two thousand men for a guard to the Pope, to be maintained

at the cost of the King and his confederates. And also proposed an interview of the Pope, the Emperor, the French King, and the ambassadors of other princes, to be either at Nice, Avignon, or in Savoy, and that himself would come thither from the King of England. But the Pope resolved steadfastly to keep his ground, and not to engage himself too much to any prince; therefore, the motion of a guard did not at all work upon him. To have guards about him upon another prince's pay, was to be their prisoner, and he was so weary of his late imprisonment, that he would not put himself in hazard of it a second time. Besides, such a guard would give the Emperor just cause of jealousy, and yet not secure him against his power. He had been also so unsuccessful in his contests with the Emperor, that he had no mind to give him any new provocation: and though the Kings of England and France gave him good words, yet they did nothing, nor did the King make war upon the Emperor, so that his armies lying in Italy, he was still under his power. Therefore the Pope resolved to unite himself firmly to the Emperor, and all the use he made of the King's earnestness in his divorce, was only to bring the Emperor to better terms. The Lutherans in Germany were like to make great use of any decision he might make against any of his predecessor's bulls. The Cardinal Elector of Mentz had written to him to consider well what he did in the King's divorce; for if it went on, nothing had ever fallen out since the beginning of Luther's sect, that would so much strengthen it as that sentence. He was also threatened on the other side from Rome, that the Emperor would have a general council called, and whatsoever he did in this process, should be examined there, and be proceeded against accordingly. Nor did they forget to put him in mind of his birth, that he was a bastard, and so by the canon incapable of that dignity, and that thereupon they would depose him. He, having all these things in his prospect, and being naturally of a fearful temper, which was at this time more prevalent in him by reason of his late

The Pope resolved to unite himself to the Emperor

Being frightened with the threats of the Imperialists

captivity, resolved not to run these hazards, which seemed unavoidable if he proceeded farther in the King's business. But his constant maxim being to promise and swear deepest when he intended least, he sent Campana to England with a letter of credence to the Cardinal, the effects of which message will appear afterwards. And thus ended this year, in which it was believed, that if the King had employed that money, which was spent in a fruitless negociation at Rome, on a war in Flanders, it had so distracted the Emperor's forces, and encouraged the Pope, that he had sooner granted that, which in a more fruitless way was sought of him.

Jan 3, 1529

In the beginning of the next year, Cassali wrote to the Cardinal, that the Pope was much inclined to unite himself with the Emperor, and proposed to go in person to Spain, to solicit a general peace; but intended to go privately, and desired the Cardinal would go with him thither, as his friend and counsellor, and that they two should go as legates. But Cassali, by Salviati's means, who was in great favour with the Pope, understood that the Pope was never in greater fear of the Emperor than at that time, for his Ambassador had threatened the Pope severely, if he would not recal the commission that he had sent to England; so that the Pope spoke oft to Salviati of the great repentance that he had inwardly in his heart, for granting the decretal. and said, He was undone for ever, if it came to the Emperor's knowledge. He also resolved, that though the Legates gave sentence in England, it should never take effect, for he would not confirm it: of which Gregory Cassali gave advertisement by an express messenger, who as he passed through Paris, met Secretary Knight and Doctor Bennet, whom the King had dispatched to Rome, to assist his other ambassadors there, and gave them an account of his message: and that it was the advice of the King's friends at Rome, that he and his confederates should follow the war more vigorously, and press the Emperor harder, without which all their applications to the Pope would signify nothing. Of this they gave the Cardinal an account,

Repents his granting the decretal

King's Letter to the Cardinal Jan. 8

and went on but faintly in their journey, judging that upon these advertisements they would be recalled, and other counsels taken.

At the same time, the Pope was with his usual arts cajoling the King's agents in Italy for when Sir Francis Brian and Peter Vannes came to Bononia, the protonotary Cassali was surprised to hear that the business was not already ended in England, since, he said, he knew there were sufficient powers sent about it, and that the Pope assured him he would confirm their sentence, but that he made a great difference between the confirming their judgment, by which he had the Legates between him and the envy or odium of it, and the granting a bull, by which the judgment should arise immediately from himself This his best friends dissuaded, and he seemed apprehensive, that in case he should do it, a council would be called, and he should be deposed for it And any such distraction in the papacy, considering the footing which heresy had already gotten, would ruin the ecclesiastical state, and the church so dexterously did the Pope govern himself between such contrary tides But all this dissimulation was short of what he acted by Campana in England, whose true errand thither was to order Campegio to destroy the bull, but he did so persuade the King and the Cardinal of the Pope's sincerity, that by a dispatch to Sir Francis Brian, and Peter Vannes, and Sir Gregory Cassali, he chid the two former for not making more haste to Rome, for he believed it might have been a great advantage to the King's affairs, if they had got thither before the General of the Observants (then Cardinal Angel). He ordered them to settle the business of the guard about the Pope presently, and tells them that the Secretary was recalled, and Dr. Stephens again sent to Rome: and in a letter to Secretary Knight, who went no further than Lyons, he writ to him, "That Campana had assured the King and him in the Pope's name, that the Pope was ready to do, not only all that of law, equity, or justice, could be desired of him, but whatever of the fulness of his power he could do or devise, for giving the King con-

Jan 9

Jan 15

But feeds the King with high promises.

tent: and that although there were three things which the Pope had great reason to take care of; the calling a general council, the Emperor's descent into Italy, and the restitution of his towns, which were offered to be put in his hands by the Emperor's means; yet neither these, nor any other consideration, should divert him from doing all that lay within his authority or power for the King: and that he had so deep a sense of the King's merits, and the obligations that he laid on him, that if his resignation of the popedom might do him any service, he would readily consent to it. and therefore in the Pope's name he encouraged the Legates to proceed and end the business."

Upon these assurances, the Cardinal ordered the Secretary to haste forward to Rome, and to thank the Pope for that kind message, to settle the guard about him, and to tell him, that for a council, none could be called but by himself, with the consent of the Kings of England and France. And for any pretended council, or meeting of bishops, which the Emperor by the cardinals of his party might call, he needed not fear that: for his towns, they should be most certainly restored. Nor was the Emperor's offering to put them in his hand to be much regarded; for though he restored them, if the Pope had not a better guarantee for them, it would be easy for him to take them from him when he pleased. He was also to propose a firmer league between the Pope, England, and France; in order to which, he was to move the Pope most earnestly to go to Nice. and if the Pope proposed the King's taking a second wife, with a legitimation of the issue which she might have, so the Queen might be induced to enter into a state of religion, to which the Pope inclined most, he was not to accept of that; both because the thing would take up much time, and they found the Queen resolved to do nothing, but as she was advised by her nephews. Yet if the Pope offered a decretal about it, he might take it, to be made use of as the occasion might require. But by a postscript he is recalled, and it is signified to him, that Gardiner was sent to Rome to negociate these affairs, who had re-

turned to England with the Legate: and his being so successful in his former message, made them think him the fittest minister they could employ in that court; and to send him with the greater advantage, he was made a privy-counsellor.

The Pope sickens

But an unlooked-for accident put a stop to all proceedings in the court of Rome. For on Epiphany-day the Pope was taken extreme ill at mass, and a great sickness followed, of which it was generally believed he could not recover; and though his distemper did soon abate so much, that it was thought to be over, yet it returned again upon him, insomuch that the physicians did suspect he was poisoned. Then followed all the secret caballings and intrigues, which are ordinary in that court upon such an occasion. The Colonnas and the other Imperialists were very busy, but the Cardinal of Mantua opposed them; and Farnese, who was then at his house in the country, came to Rome and joined with Mantua; and these of that faction resolved, that, if the Spanish army marched from Naples toward them, they would dispense with that bull which provides that the succeeding Pope should be chosen in the same place where the former died, and would retire to some safe place. Some of the cardinals spoke highly in favour of Cardinal Wolsey, whom (if the ambassadors did not flatter and lie grossly in their letters, from which I draw these informations) they reverenced as a deity. And the Cardinal of Mantua, it seems, proposing him as a pattern, would needs have a particular account of his whole course of life, and expressed great esteem for him. When Gardiner was come as far as Lyons, he wrote the Cardinal word, that there went a prophecy that an angel should be the next pope, but should die soon after. He also gave advice, that if the Pope died, the commission for the Legates must needs expire with him, unless they made some step in their business by a citation of parties, which would keep it alive; but whether this was done or not I cannot find. The Cardinal's ambition was now fermenting strongly, and he resolved to lay his project for the popedom better than he had done before. His

Jan 27

Cardinal Wolsey's intrigues for the papacy.

Feb 6. letter about it to Gardiner, and the King's instructions to his ambassadors, are printed by Fox, and the originals from which they are taken are yet extant. He wrote also another letter to the ambassadors, which the reader will find in the Collection. But because the instructions shew what were the methods in choosing popes in those days, by which it may be easily gathered how such an election must needs recommend a man to infallibility, supremacy, and all the other appendages of *Christ's Vicar on earth*, I shall give a short summary of them.

Collect Numb 20

"By his letter to his confidant Gardiner, he commits the thing chiefly to his care, and orders him to employ all his parts to bring it to the desired issue, sparing neither presents nor promises; and that as he saw men's inclinations or affections led them, whether to public or private concerns, so he should govern himself towards them accordingly. The instructions bear, that the King thought the Cardinal the fittest person to succeed to the papacy (they being advertised that the Pope was dead); that the French King did also of his own motion offer his assistance to him in it, and that, both for public and private ends, the Cardinal was the fittest. Therefore the ambassadors are required, with all possible earnestness and vigour, to promote his election A schedule of the cardinals' names is sent them, with marks to every one, whether he was like to be present or absent, favourable, indifferent, or opposite to them. It was reckoned there could be but thirty-nine present, of which twenty-six were necessary to choose the Pope. Of these the two Kings thought themselves sure of twenty. So six was all the number that the ambassadors were to gain, and to that number they were first to offer them good reasons, to convince them of the Cardinal's fitness for the papacy. But because human frailty was such, that reason did not always take place, they were to promise promotions, and sums of money, with other good rewards, which the King gave them commission to offer, and would certainly make them good. besides all the great preferments which the Cardinal had, that should

The King's instructions for the election

be shared among those who did procure his election. The cardinals of their party were first to enter into a firm bond, to exclude all others. They were also to have some creatures of their's to go into the conclave to manage the business. Sir Gregory Cassali was thought fittest for that service. And if they saw the adverse party too strong in the conclave, so that they could carry nothing, then Gardiner was to draw a protestation, which should be made in the name of the two crowns; and that being made, all the cardinals of their faction were to leave the conclave. And if the fear of the Emperor's forces overawed them, the ambassadors were to offer a guard of two or three thousand men to secure the cardinals; and the French King ordered his armies to move, if the Spanish troops did move either from Naples or Milan. They were also to assure them, that the Cardinal would presently upon his election come and live at Rome, and were to use all endeavours to gain the Cardinal de Medici to their faction; but at the same time to assure the Florentines, that Wolsey would assist them to exclude the Medici out of the government of their town and state. They were also to have a strict eye upon the motions of the French factions, lest, if the Cardinal were excluded, they should consent to any other, and refuse to make the protestation as it was desired. But to oblige Campegio the more, it was added, that if they found all hopes of raising the Cardinal of York to vanish, then they should try if Campegio could be elected, and in that case the cardinals of their faction were to make no protestation."

These were the apostolical methods then used for choosing a successor to St. Peter; for though a successor had been chosen to Judas by lot, yet more caution was to be used in choosing one for the Prince of the Apostles. But when the Cardinal heard that the Pope was not dead, and that there was hope of his recovery, he wrote another long letter to the ambassadors (the original of which is yet extant), "to keep all their instructions about a new pope very secret, to be gaining as many cardinals as they could, and to

take care that the cardinals should not go into the conclave, unless they were free and safe from any fears of the imperial forces. But if the Pope recovered, they were to press him to give such orders about the King's business, that it might be speedily ended; and then the Cardinal would come and wait on the Pope over to Spain, as he had proposed. And for the apprehensions the Pope had of the Emperor's being highly offended with him, if he granted the King's desire, or of his coming into Italy, he needed not fear him. They knew whatever the Emperor pretended about his obligation to protect his aunt, it was only for reason of state; but if he were satisfied in other things, that would be soon passed over. They knew also that his design of going into Italy was laid aside for that year, because he apprehended that France and England would make war on him in other places. There were also many precedents found, of dispensations granted by popes in like cases: and lately there had been one granted by Pope Alexander the Sixth to the King of Hungary, against the opinion of his cardinals, which had never been questioned:" and yet he could not pretend to such merits as the King had. And all that had ever been said in the King's cause was summed up in a short breviate by Cassali, and offered to the Pope; a copy whereof, taken from an original, under his own hand, the reader will find in the Collection.

Feb 20 New propositions about the divorce.

Collect Numb 21

The King ordered his ambassadors to make as many cardinals sure for his cause as they could, who might bring the Pope to consent to it, if he were still averse. But the Pope was at this time possessed with a new jealousy, of which the French King was not free, as if the King had been tampering with the Emperor, and had made him great offers, so he would consent to the divorce; about which Francis wrote an anxious letter to Rome, the original of which I have seen. The Pope was also surprised at it, and questioned the ambassadors about it; but they denied it, and said, the union between England and France was inseparable, and that these were only the practices of the Empe-

ror's agents to create distrust. The Pope seemed satisfied with what they said, and added, "That in the present conjuncture a firm union between them was necessary." Of all this Sir Francis Brian wrote a long account in cipher.

But the Pope's relapse put a new stop to business; of which the Cardinal being informed, as he ordered the King's agents to continue their care about his promotion, so he charged them to see if it were "possible to get access to the Pope, and though he were in the very agony of death, to propose two things to him: the one, that he would presently command all the princes of Christendom to agree to a cessation of arms, under pain of the censures of the church, as Pope Leo and other popes had done; and if he should die, he could not do a thing that would be more meritorious, and for the good of his soul, than to make that the last act of his life. The other thing was concerning the King's business, which he presseth as a thing necessary to be done, for the clearing and ease of the Pope's conscience towards God: and withal, he orders them to gain as many about the Pope, and as many cardinals and officers in the Rota as they could, to promote the King's desires, whether in the Pope's sickness or health. The Bishop of Verona had a great interest with the Pope; so by that, and another dispatch of the same date (sent another way), they were ordered to gain him. promising him great rewards, pressing him to remain still about the Pope's person, to balance the ill offices which Cardinal Angel and the Archbishop of Capua did, who never stirred from the Pope: and to assure that Bishop, that the King laid this matter more to heart than any thing that ever befel him; and that it would trouble him as much to be overcome in this matter, by these two friars, as to lose both his crowns: and for my part (writes the Cardinal), I would expose any thing to my life, yea life itself, rather than see the inconveniences that may ensue upon disappointing of the King's desire." For promoting the business, the French King sent the Bishop of Bayon to assist the

The Pope's relapse

April 6

Another dispatch to R me Collect Num. 20

English ambassadors, in his name, who was first sent over to England, to be well instructed there. They were either to procure a decretal for the King's divorce, or a new commission to the two Legates, with ampler clauses in it than the former had; "To judge as if the Pope were in person, and to emit compulsory letters against any, whether emperor, king, or of what degree soever, to produce all manner of evidences or records, which might tend towards the clearing the matter, and to bring them before them." This was sought because the Emperor would not send over the pretended original breve to England, and gave only an attested copy of it to the King's ambassadors: lest, therefore, from that breve a new suit might be afterwards raised for annulling any sentence which the Legates should give, they thought it needful to have the original brought before them. In the penning of that new commission, Dr. Gardiner was ordered to have special care that it should be done by the best advice he could get in Rome. It appears also from this dispatch, that the Pope's pollicitation to confirm the sentence which the Legates should give was then in Gardiner's hands; for he was ordered to take care that there might be no disagreement between the date of it and of the new commission. And when that was obtained, Sir Francis Brian was commanded to bring them with him to England. Or if neither a decretal nor a new commission could be obtained, then, if any other expedient were proposed, that upon good advice should be found sufficient and effectual, they were to accept of it, and send it away with all possible diligence. And the Cardinal conjured them, "By the reverence of Almighty God, to bring them out of their perplexity, that this virtuous Prince may have this thing sped, which would be the most joyous thing that could befal his heart upon earth. But if all things should be denied, then they were to make their protestations, not only to the Pope, but to the cardinals, of the injustice that was done the King; and in the Cardinal's name to let them know, that not only the King and his realm would be lost, but also the French King

and his realm, with their other confederates, would also withdraw their obedience from the see of Rome, which was more to be regarded than either the Emperor's displeasure, or the recovery of two cities." They were also to try what might be done in law by the cardinals in a vacancy, and they were to take good counsel upon some chapters of the canon law which related to that, and govern themselves accordingly, either to hinder an avocation or inhibition, or, if it could be done, to obtain such things as they could grant, towards the conclusion of the King's business. At this time, also, the Cardinal's bulls for the bishoprick of Winchester were expedited; they were rated high, at fifteen thousand ducats; for though the Cardinal pleaded his great merits, to bring the composition lower, yet the cardinals at Rome said the apostolic chamber was very poor, and other bulls were then coming from France, to which the favour they should shew the Cardinal would be a precedent. But the Cardinal sent word, that he would not give past five or six thousand ducats, because he was exchanging Winchester for Duresme; and by the other they were to get a great composition. And if they held his bulls so high he would not have them; for he needed them not, since he enjoyed already, by the King's grant, the temporalities of Winchester; which it is very likely was all that he considered in a bishoprick. They were at last expedited, at what rates I cannot tell; but this I set down, to shew how severe the exactions of the court of Rome were.

The Cardinal's bulls for the bishoprick of Winchester.

As the Pope recovered his health, so he inclined more to join himself to the Emperor than ever, and was more alienated than formerly from the King and the Cardinal; which perhaps was increased by the distaste he took at the Cardinal's aspiring to the popedom. The first thing that the Emperor did in the King's cause, was to protest, in the Queen of England's name, that she refused to submit to the Legates. The one was the King's chief minister, and her mortal enemy; the other was also justly suspected, since he had a bishoprick in England. The King's

The Pope inclines to join with the Emperor,

Who protests against the Legate's commission May 15

ambassador pressed the Pope much, not to admit the protestation; but it was pretended that it could not be denied, either in law or justice. But that this might not offend the King, Salviati, that was the Pope's favourite, wrote to Campegio, that the protestation could not be hindered, but that the Pope did still most earnestly desire to satisfy the King, and that the ambassadors were much mistaken, who were so distrustful of the Pope's good mind to the King's cause. But now good words could deceive the King no longer, who clearly discovered the Pope's mind; and being out of all hopes of any thing more from Rome, resolved to proceed in England before the Legates: and therefore Gardiner was recalled, who was thought the fittest person to manage the process in England, being esteemed the greatest canonist they had; and was so valued by the King, that he would not begin the process till he came. Sir Francis Brian was also recalled; and when they took leave of the Pope, they were ordered to expostulate in the King's name, "upon the partiality he expressed for the Emperor, notwithstanding the many assurances that both the Legates had given the King, that the Pope would do all he could toward his satisfaction; which was now so ill performed, that he expected no more justice from him. They were also to say as much as they could devise in the Cardinal's name, to the same purpose, upon which they were to try, if it were possible, to obtain any enlargement of the commission, with fuller power to the Legates;" for they saw it was in vain to move for any new bulls or orders from the Pope about it. And though Gardiner had obtained a pollicitation from the Pope, by which he both bound himself not to recall the cause from the Legates, and also to confirm their sentence, and had sent it over; they found it was so conceived, that the Pope could go back from it when he pleased. So there was a new draught of a pollicitation formed, with more binding clauses in it, which Gardiner was to try if he could obtain by the following pretence: "He was to tell the Pope, that the courier to whom

Collect Numb 23

The Pope promised not to recall, but to confirm it.

he trusted it, had been so little careful of it, that it was all wet and defaced, and of no more use; so that he durst not deliver it. And this might turn much to Gardiner's prejudice, that a matter of such concern was, through his neglect, spoiled: upon which he was to see if the Pope would renew it. If that could be obtained, he was to use all his industry to get as many pregnant and material words added, as might make it more binding. He was also to assure the Pope, that though the Emperor was gone to Barcelona, to give reputation to his affairs in Italy, yet he had neither army nor fleet ready; so that they needed not fear him. And he was to inform the Pope of the arts he was using both in the English and French courts to make a separated treaty, but that all was to no purpose, the two Kings being so firmly linked together." But the Pope was so great a master in all the arts of dissimulation and policy, that he was not to be over-reached easily, and when he understood that his pollicitation was defaced, he was in his heart glad at it, and could not be prevailed with to renew it. So they returned to England, and Dr. Bennet came in their place. He carried with him one of the fullest and most important dispatches that I find in this whole matter, from the two Legates to the Pope and the consistory, who wrote to them, "That they had in vain endeavoured to persuade either party to yield to the other; that the breve being shewed to them by the Queen, they found great and evident presumptions of its being a mere forgery; and that they thought it was too much for them to sit and try the validity or authenticalness of the Pope's bulls or breves, or to hear his power of dispensing in such cases disputed; therefore, it was more expedient to avocate the cause, to which the King would consent, if the Pope obliged himself, under his hand, to pass sentence speedily in his favour: but they rather advised the granting a decretal bull, which would put an end to the whole matter; in order to which, the bearer was instructed to shew very good precedents. But in the mean while, they advised the Pope to press

The Legates write to the Pope.

Collect Num. [illegible].

the Queen most effectually to enter into a religious life, as that which would compose all these differences in the softest and easiest way. It pitied them to see the rack and torments of conscience under which the King had smarted so many years: and that the disputes of divines, and the decrees of fathers, had so disquieted him, that for clearing a matter thus perplexed, there was not only need of learning, but of a more singular piety and illumination. To this were to be added, the desire of issue, the settlement of the kingdom, with many other pressing reasons: that as the matter did admit of no further delays, so there was not any thing in the opposite scale to balance these considerations. There were false suggestions surmised abroad, as if the hatred of the Queen, or the desire of another wife (who was not perhaps yet known, much less designed), were the true causes of this suit. But though the Queen was of a rough temper, and an unpleasant conversation, and was passed all hopes of children, yet who could imagine that the King, who had spent his most youthful days with her so kindly, would now, in the decline of his age, be at all this trouble to be rid of her, if he had no other motives? But they, by searching his sore, found there was rooted in his heart, both an awe of God, and a respect to law and order; so that though all his people pressed him to drive the matter to an issue, yet he would still wait for the decision of the apostolic see. Therefore, they most pressingly desire the Pope to grant the cure which his distemper required, and to consider that it was not fit to insist too much on the rigour of the law: but, since the soul and life of all the laws of the church was in the Pope's breast, in doubtful cases, where there was great hazard, he ought to mollify the severity of the laws; which if it were not done, other remedies would be found out, to the vast prejudice of the ecclesiastical authority, to which many about the King advised him: there was reason to fear they should not only lose a King of England, but a Defender of the Faith. The nobility and gentry were already enraged at the delay

of a matter in which all their lives and interests were so nearly concerned: and said many things against the Pope's proceedings, which they could not relate without horror. And they plainly complained, that whereas popes had made no scruple to make and change divine laws at their pleasure, yet one Pope sticks so much at the repealing what his predecessor did, as if that were more sacred, and not to be meddled with. The King betook himself to no ill arts, neither to the charms of magicians, nor the forgeries of impostors; therefore they expected such an answer as should put an end to the whole matter."

Campegio's ill life Pelerin Inglese

But all these things were to no purpose. the Pope had taken his measures, and was not to be moved by all the reasons or remonstrances the Ambassador could lay before him. The King had absolutely gained Campegio to do all he could for him without losing the Pope's favour. He led at this time a very dissolute life in England, hunting and gaming all the day long, and following whores all the night: and brought a bastard* of his own over to England with him, whom the King knighted. so that if the King sought his pleasure, it was no strange thing, since he had such a copy set him by two Legates, who representing his Holiness so lively in their manners, it was no unusual thing if a King had a slight sense of such disorders The King wrote to his ambassadors, that he was satisfied of Campegio's love and affection to him, and if ever he was gained by the Emperor's agents, he had said something to him, which did totally change that inclination.

April 6

The Imperialists, being alarmed at the recalling of some of the English ambassadors, and being informed by the Queen's means, that they were forming the process in England, put in a memorial for an avocation

The Emperor presses for an avocation.

* Campegio's son is, by Hall, none of his flatterers, said to have been born in wedlock, *i. e.* before he took orders. This is also confirmed by Gauricus Genitor. 24. who says, he had by his wife three sons and two daughters.—[The son who accompanied him to England was his second son, *Rudolfo*. The fact of his having been married before he took orders, seems clearly established—see *Dictionnaire Historique*, Art. Campegge (*Laurent*)—N.]

of the cause to Rome. The ambassadors answered, that there was no colour for asking it, since there was nothing yet done by the Legates. For they had strict orders to deny that there was any process forming in England, even to the Pope himself in private, unless he had a mind it should go on; but were to use all their endeavours to hinder an avocation, and plainly in the King's name to tell the Pope, that if he granted that, the King would look on it as a formal decision against him. And it would also be an high affront to the two Cardinals. and they were thereupon to protest, that the King would not obey, nor consider the Pope any more, if he did an act of such high injustice, as, after he had granted a commission, upon no complaint of any illegality, or unjust proceedings of the Legates, but only upon surmises and suspicions to take it out of their hands. But the Pope had not yet brought the Emperor to his terms in other things, therefore, to draw him on the faster, he continued to give the English Ambassador good words; and in discourse with Peter Vannes, did insinuate as if he had found a means to bring the whole matter to a good conclusion, and spoke it with an artificial smile, adding, "In the name of the Father," &c. but would not speak it out, and seemed to keep it up as a secret not yet ripe. But all this did afterwards appear to be the deepest dissimulation that ever was practised. And in the whole process, though the Cardinal studied to make tricks pass upon him, yet he was always too hard for them all at it; and seemed as infallible in his arts of juggling, as he pretended to be in his decisions. He wrote a cajoling letter to the Cardinal; but words went for nothing.

Which the King's ambassadors oppose much

The Pope's deep dissimulation

Collect Numb 25

Collect Numb 26

Soon after this, the Pope complained much to Sir Gregory Cassali, of the ill usage he received from the French Ambassador, and that their confederates, the Florentines, and the Duke of Ferrara, used him so ill, that they would force him to throw himself into the Emperor's hands: and he seemed inclined to grant an avocation of the cause, and complained that there was a treaty of peace going on at Cambray, in which

The Pope complains of the Florentines June 5

he had no share. But the Ambassador undertook that nothing should be done to give him just offence; yet the Florentines continued to put great affronts on him and his family; and the Abbot of Farfa, their general, June 22. made excursions to the gates of Rome; so that the Pope, with great signs of fear, said, "That the Florentines would some day seize on him, and carry him with his hands bound behind his back, in procession to Florence: and that all this while, the Kings of England and France did only entertain him with good words, and did not so much as restrain the insolencies of their confederates. And whereas they used to say, that if he joined himself to the Emperor, he would treat him as his chaplain; he said with great commotion, that he would not only choose rather to be his chaplain, but his horse-groom, than suffer such injuries from his own rebellious vassals and subjects." This was perhaps set on by the Cardinal's arts, to let the Pope feel the weight of offending the King, and to oblige him to use him better: but it wrought a contrary effect, for the treaty between the Emperor and him was the more advanced by it. And the Pope reckoned that the Emperor being (as he was informed) ashamed and grieved for the taking and sacking of Rome, would study to repair that by better usage for the future.

The motion for the avocation was still driven on, and pressed the more earnestly, because they heard the Legates were proceeding in the cause. But the ambassadors were instructed by a dispatch from the King, to obviate that carefully; for as it would reflect on the Legates, and defeat the commission, and be a gross violation of the Pope's promise, which they had in writing; so it was more for the Pope's interest, to leave it in the Legate's hands, than to bring it before himself; for then, whatever sentence passed, the ill effects of it would lie on the Pope without any interposition. And as the King had very just exceptions to Rome, where the Emperor's forces lay so near, that no safety could be expected there; so they were to tell the Pope that, by the laws of England, the pre- Great contests about the avocation. June 23 Collect Numb 27.

rogative of the crown royal was such, that the Pope could do nothing that was prejudical to it: to which the citing the King to Rome, to have his cause decided there, was contrary in a high degree. And if the Pope went on, notwithstanding all the diligence they could use to the contrary, they were, by another dispatch which Gardiner sent, ordered to protest and appeal from the Pope as "not the true Vicar of Christ, to a true Vicar." But the King upon second thoughts judged it not fit to proceed to this extremity so soon. They were also ordered to advertise the Pope, that all the nobility had assured the King, they would adhere to him, in case he were so ill used by the Pope, that he were constrained to withdraw his obedience from the apostolic see; and that the Cardinal's ruin was unavoidable, if the Pope granted the avocation. The Emperor's agents had pretended they could not send the original breve into England, and said their master would send it to Rome, upon which the ambassadors had solicited for letters compulsory, to require him to send it to England; yet, lest that might now be made an argument by the Imperialists for an avocation, they were ordered to speak no more of it, for the Legates would proceed to sentence, upon the attested copy that was sent from Spain.

The ambassadors had also orders to take the best counsel in Rome about the legal ways of hindering an avocation. But they found it was not fit to rely much on the lawyers in that matter. For as, on the one hand, there was no secrecy to be expected from any of them, they having such expectations of preferments from the Pope (which were beyond all the fees that could be given them), that they discovered all secrets to him; so none of them would be earnest to hinder an avocation, it being their interest to bring all matters to Rome, by which they might hope for much greater fees. And Salviati, whom the ambassadors had gained, told them, that Campana brought word out of England, that the process was then in a good forwardness. They with many oaths denied there was any such thing, and Silvester Darius, who was sent express

to Rome for opposing the avocation, confirmed all that they swore. But nothing was believed; for, by a secret conveyance, Campana had letters to the contrary. And when they objected to Salviati, what was promised by Campana in the Pope's name, that he would do every thing for the King "that he could do out of the fulness of his power;" he answered, "that Campana swore he had never said any such thing." So hard is the case of ministers in such ticklish negotiations, that they must say and unsay, swear and forswear, as they are instructed, which goes of course as a part of their business.

The Legates sit in England

But now the Legates were proceeding in England: of the steps in which they went, though a great deal be already published, yet considerable things are passed over. On the 31st of May, the King, by a warrant under the great seal, gave the Legates leave to execute their commission, upon which they sate, that same day. The commission was presented by Longland, bishop of Lincoln, which was given to the Protonotary of the court, and he read it publicly: then the Legates took it in their hands, and said, they were resolved to execute it: and first gave the usual oaths to the clerks of the court, and ordered a peremptory citation of the King and Queen to appear on the 18th of June, between nine and ten o'clock; and so the court adjourned. The next sessions was on the 18th of June, where the citations being returned duly executed, Richard Sampson, dean of the chapel, and Mr. John Bell, appeared as the King's proxies. But the Queen appeared in person, and did protest against the Legates as incompetent judges, alleging that the cause was already avocated by the Pope, and desired a competent time in which she might prove it. The Legates assigned her the 21st, and so adjourned the court till then.

Orig Jour Cott Lib Vitel. B. 12.

A severe charge against the Queen.

About this time there was a severe complaint exhibited against the Queen in council, of which there is an account given in a paper, that has somewhat written at the conclusion of it with the Cardinal's own hand. "The substance of it is, That they were in-

formed some designed to kill the King or the Cardinal; in which, if she had any hand, she must not expect to be spared. That she had not shewed such love to the King, neither in bed nor out of bed as she ought. And now that the King was very pensive and in much grief, she shewed great signs of joy, setting on all people to dancings and other diversions. This it seemed she did out of spite to the King, since it was contrary to her temper and ordinary behaviour. And whereas she ought rather to pray to God to bring this matter to a good conclusion, she seemed not at all serious; and that she might corrupt the people's affections to the King, she shewed herself much abroad, and by civilities, and gracious bowing her head, which had not been her custom formerly, did study to work upon the people; and that, having the pretended breve in her hands, she would not shew it sooner. From all which the King concluded that she hated him: therefore his council did not think it advisable for him to be any more conversant with her, either in bed or at board. They also in their consciences thought his life was in such danger, that he ought to withdraw himself from her company, and not suffer the Princess to be with her. These things were to be told her, to induce her to enter into a religious order, and to persuade her to submit to the King." To which paper, the Cardinal added in Latin, "That she played the fool, if she contended with the King, that her children had not been blessed; and somewhat of the evident suspicions that were of the forgery of the breve." But she had a constant mind, and was not to be threatened to any thing. On the 21st of June, the court sate; the King and Queen were present in person. Campegio made a long speech of the errand they were come about:* "That it was a new, unheard of, vile, and intolerable thing, for the King and Queen to live in adultery, or rather incest;" which they must now try, and proceed as they saw just cause. And both the Legates made deep protestations of the sincerity of their minds, and that they would proceed justly and fairly without any favour or partiality.

Quod stulte facit, si contendit cum Rege, quod male illi successit in fatibus de brevi ac suspicione falsitatis

The King and Queen appear in court.

* *Fidelis servi infideli subdito responsio.*

As for the formal speeches which the King and Queen made, Hall, who never failed in trifles, sets them down, which I incline to believe they really spoke, for with the journals of the court I find those speeches written down, though not as a part of the journal.

But here the Lord Herbert's usual diligence fails him; for he fancies the Queen never appeared after the 18th, upon which, because the journal of the next sessions are lost, he infers, against all the histories of that time, that the King and the Queen were not in court together. And he seems to conclude, that the 25th of June was the next session after the 18th, but in that he was mistaken. for, by an original letter of the King's to his ambassadors, it is plain that both the King and Queen came in person into the court; where they both sate, with their counsel standing about them; the Bishops of Rochester and St. Asaph, and Doctor Ridley being the Queen's counsel. When the King and Queen were called on, the King answered, "Here;" but the Queen left her seat, and went and kneeled down before him, and made a speech, that had all the insinuations in it to raise pity and compassion in the court. She said, "She was a poor woman, and a stranger in his dominions, where she could neither expect good counsel, nor indifferent judges; she had been long his wife, and desired to know wherein she had offended him: she had been his wife twenty years and more, and had borne him several children, and had ever studied to please him, and protested he had found her a true maid, about which she appealed to his own conscience. If she had done any thing amiss, she was willing to be put away with shame. Their parents were esteemed very wise princes, and no doubt had good counsellors and learned men about them when the match was agreed. therefore, she would not submit to the court, nor durst her lawyers, who were his subjects, and assigned by him, speak freely for her. So she desired to be excused till she heard from Spain." That said, she rose up, and made the King a low reverence, and went out of the court. And though they called after her, she made no an-

Collect Numb 28

The Queen's speech

swer, but went away, and would never again appear in court.

The King gives the account of his scruples

She being gone, the King did publicly declare, what a true and obedient wife she had always been, and commended her much for her excellent qualities. Then the Cardinal of York desired the King would witness, whether he had been the first or chief mover of that matter to him, since he was suspected to have done it. In which the King did vindicate him, and said, That he had always rather opposed it,* and protested it arose merely out of a scruple in his conscience, which was occasioned by the discourse of the French Ambassador; who, during the treaty of a match between his daughter and the Duke of Orleans, did except to her being legitimate, as begotten in an unlawful marriage: upon which he resolved to try the lawfulness of it, both for the quiet of his conscience, and for clearing the succession of the crown: and if it were found lawful, he was very well satisfied to live still with the Queen. But upon that, he had first moved it in confession to the Bishop of Lincoln; then he had desired the Archbishop of Canterbury to gather the opinion of the bishops, who did all, under their hands and seals, declare against the marriage. This the Archbishop confirmed, but the Bishop of Rochester denied his hand was at it. And the Archbishop pretended he had his consent to make another write his name to the judgment of the rest, which he positively denied.

The court adjourned to the 25th, ordering letters monitory to be issued out for citing the Queen to ap-

* See before, p 85. the King himself did not probably see very clearly the drift of Wolsey's measures, some of which, indeed, appear to have been studiously concealed from him See *Strype's* Memorials, and *Turner's* Modern History of England, anno 1527 In *Granger's* corrections of Burnet, usually printed at the end of the History of the Reformation, as having been submitted to Burnet himself, the King's declaration is judged to be a decided vindication of Wolsey, and sufficient ground for Lord Herbert's suspicion, that the Cardinal did not really intend the divorce, which occasioned some surprise to Burnet, as expressed p. 85. The truth probably is, as Mr Turner observes, that the Cardinal's "plan was to have the credit and merit of pronouncing and producing the divorce himself," p 438. Whenever this plan was interrupted, his measures and conduct became equivocal Letters of the Cardinal, only recently brought to light, tend to shew that he was the chief agent from the very beginning of things See Turner's xxth chapter, B 1

pear, under pain of contumacy. But on the 25th was brought in her appeal to the Pope, the original of which is extant, every page being both subscribed and superscribed by her. She excepted both to the place, to the judges, and to her counsel, in whom she could not confide; and therefore appealed, and desired her cause might be heard by the Pope, with many things out of the canon law, on which she grounded it. This being read, and she not appearing, was declared *contumax*. Then the Legates being to proceed *ex officio*, drew up twelve articles, upon which they were to examine witnesses. The substance of them was, "That Prince Arthur and the King were brothers; that Prince Arthur did marry the Queen, and consummated the marriage; that upon his death, the King, by virtue of a dispensation, had married her; that this marrying his brother's wife was forbidden both by human and divine law; and that upon the complaints which the Pope had received, he had sent them now to try and judge in it." The King's counsel insisted most on Prince Arthur's having consummated the marriage, and that led them to say many things that seemed indecent; of which the Bishop of Rochester complained, and said they were things detestable to be heard: but Cardinal Wolsey checked him, and there passed some sharp words between them.

The Queen's appeal.

Articles drawn by the Legates.

The Legates proceeded to the examination of witnesses, of which I shall say little, the substance of their depositions being fully set down, with all their names, by the Lord Herbert. The sum of what was most material in them, was, that many violent presumptions appeared by their testimonies, that Prince Arthur did carnally know the Queen. And it cannot be imagined how greater proofs could be made twenty-seven years after their marriage. Thus the court went on several days examining witnesses; but as the matter was going on to a conclusion, there came an avocation from Rome: of which I shall now give an account.

Upon which witnesses are examined.

The Queen wrote most earnestly to her nephews to procure an avocation; protesting she would suffer any thing, and even death itself, rather than depart from

The proceedings at Rome about an avocation.

her marriage; that she expected no justice from the Legates, and therefore looked for their assistance, that her appeal being admitted by the Pope, the cause might be taken out of the Legates' hands. Campegio did also give the Pope an account of their progress, and by all means advised an avocation; for by this, he thought to excuse himself to the King, to oblige the Emperor much, and to have the reputation of a man of conscience.

All this is drawn from the original letters, June 28 and 30. July 8 and 9.

The Emperor and his brother Ferdinand sent their ambassadors at Rome orders, to give the Pope no rest till it were procured; and the Emperor said, He would look on a sentence against his aunt as a dishonour to his family, and would lose all his kingdoms sooner than endure it. And they plied the Pope so warmly, that between them and the English ambassadors, he had for some days very little rest. To the one he was kind, and to the other he resolved to be civil. The English ambassadors met often with Salviati, and studied to persuade him, that the process went not on in England; but he told them their intelligence was so good, that whatever they said would not be believed. They next suggested, that it was visible Campegio's advising an avocation was only done to preserve himself from the envy of the sentence, and to throw it wholly on the Pope: for were the matter once called to Rome, the Pope must give sentence one way or another, and so bear the whole burden of it. There were also secret surmises of deposing the Pope, if he went so far; for seeing that the Emperor prevailed so much by the terrors of that, the Cardinal resolved to try what operation such threatenings in the King's name might have. But they had no armies near the Pope, so that big words did only provoke and alienate him the more.

The matter was such, that by the canon law it could not be denied. For to grant an avocation of a cause upon good reason, from the delegated to the supreme court, was a thing which by the course of law was very usual: and it was no less apparent that the reasons of the Queen's appeal were just and good. But the secret and most convincing motives, that wrought

more on the Pope than all other things, were, that the treaty between him and the Emperor was now concerted: therefore this being to be published very speedily, the Pope thought it necessary to avocate the matter to Rome, before the publication for the peace; lest, if he did it after, it should be thought that it had been one of the secret articles of the treaty, which would have cast a foul blot upon him. Yet, on the other hand, he was not a little perplexed with the fears he had of losing the King of England; he knew he was a man of a high spirit, and would resent what he did severely. "And the Cardinal now again ordered Dr. Bennet, in his name, and as with tears in his eyes, lying at the Pope's feet, to assure him, that the King and kingdom of England were certainly lost, if the cause were avocated: therefore, he besought him to leave it still in their hands, and assured him, that for himself, he should rather be torn in pieces, joint by joint, than do any thing in that matter contrary to his conscience or to justice." These things had been oft said, and the Pope did apprehend that ill effects would follow; for if the King fell from his obedience to the apostolic see, no doubt all the Lutheran princes who were already bandying against the Emperor, would join themselves with him; and the interests of France would most certainly engage that King also into the union, which would distract the church, give encouragement to heresy, and end in the utter ruin of the popedom. But in all this the crafty Pope comforted himself, that many times threatenings are not intended to be made good, but are used to terrify; and that the King, who had written for the faith against Luther, and had been so ill used by him, would never do a thing that would sound so ill, as, because he could not obtain what he had a mind to, therefore to turn heretic: he also resolved to caress the French King much, and was in hopes of making peace between the Emperor and him.

The Pope agrees with the Emperor

Collect Numb 29.

Yet is in great perplexities.

But that which went nearest the Pope's heart, of all other things, was the setting up of his family at Florence: and the Emperor having given him assurance

of that, it weighed down all other considerations. Therefore, he resolved he would please the Emperor, but do all he could not to lose the King: so on the 9th of July, he sent for the King's ambassadors, and told them, the process was now so far set on in England, and the avocation so earnestly pressed, that he could deny it no longer; for all the lawyers in Rome had told him, the thing could not be denied in the common course of justice. Upon this the ambassadors told him what they had in commission to say against it, both from the King and the Cardinal, and pressed it with great vehemence: so that the Pope, by many sighs and tears, shewed how deep an impression that which they said made upon him; he wished himself dead, that he might be delivered out of that martyrdom: and added these words, which, because of their savouring so much of an apostolical spirit, I set down: "Woe is me, nobody apprehends all those evils better than I do. But I am so between the hammer and the forge, that when I would comply with the King's desires, the whole storm then must fall on my head; and, which is worse, on the church of Christ." They did object the many promises he had made them, both by word of mouth, and under his hand. He answered, "He desired to do more for the King than he had promised; but it was impossible to refuse what the Emperor now demanded, whose forces did so surround him, that he could not only force him to grant him justice, but could dispose of him and all his concerns at his pleasure."

The ambassadors, seeing the Pope was resolved to grant the avocation, pressed against it no further, but studied to put it off for some time: and therefore proposed, that the Pope would himself write about it to the King, and not grant it till he received his answer. Of all this they gave advertisement to the King, and wrote to him, that he must either drive the matter to a sentence in great haste, or, to prevent the affront of an avocation, suspend the process for some time. They also advised the searching all the packets that went or came by way of Flanders; and to keep up all Cam-

pegio's letters, and to take care that no bull might come to England; for they did very much apprehend that the avocation would be granted within very few days. Their next dispatch bore, that the Pope had sent for them, to let them know that he had signed the avocation the day before. But they understood another way, that the treaty between the Emperor and him was finished, and the peace was to be proclaimed on the 18th of July; and that the Pope did not only fear the Emperor more than all other princes, but that he also trusted him more now. On the 19th of July, the Pope sent a messenger with the avocation to England, with a letter to the Cardinal. To the King he wrote afterwards.

July 26. The avocation is granted. Collect. Numb 30.

All this while Campegio, as he had orders from the Pope to draw out the matter by delays, so he did it very dexterously: and in this he pretended a fair excuse, that it would not be for the King's honour to precipitate the matter too much, lest great advantages might be taken from that by the Queen's party. That, therefore, it was fit to proceed slowly, that the world might see with what moderation as well as justice the matter was handled. From the 25th of June, the court adjourned to the 28th, ordering a second citation for the Queen, under the pains of contumacy, and of their proceeding to examine witnesses. And on the 28th, they declared the Queen contumacious the second time; and examined several witnesses upon the articles, and adjourned to the 5th of July: on that day the bull and breve were read in court, and the King's counsel argued long against the validity of the one, and the truth of the other, upon the grounds that have been already mentioned; in which Campegio was much disgusted to hear them argue against the Pope's power, of granting such a dispensation in a matter that was against a divine precept, alleging that his power did not extend so far. This the Legates overruled, and said, That that was too high a point for them to judge in, or so much as to hear argued; and that the Pope himself was the only proper judge in that: "and it was odds but he would judge favour-

The proceedings of the Legates

ably for himself." The court adjourned to the 12th, and from that to the 14th. On these days the depositions of the rest of the witnesses were taken, and some that were ancient persons were examined by a commission from the Legates; and all the depositions were published on the 17th; other instruments relating to the process, were also read and verified in court. On the 21st, the court sate to conclude the matter, as was expected, and the instrument that the King had signed when he came of age, protesting that he would not stand to the contract made when he was under age, was then read and verified. Upon which the King's counsel (of whom Gardiner was the chief) closed their evidence, and summed up all that had been brought; and, in the King's name, desired sentence might be given. But Campegio, pretending that it was fit some interval should be between that and the sentence, put it off till the 23d, being Friday; and in the whole process he presided, both being the ancienter cardinal,* and chiefly to shew great equity; since exceptions might have been taken, if the other had appeared much in it; so that he only sate by him for form: but all the orders of the court were still directed by Campegio. On Friday there was a great appearance, and a general expectation; but, by a strange surprise, Campegio adjourned the court to the 1st of October, for which he pretended that they sate there as a part of the consistory of Rome, and therefore must follow the rules of that court, which, from that time till October, was in a vacation, and heard no causes. and this he averred to be true on the word of a true prelate.

All things are ready for a sentence

Campegio adjourned the court;

The King was in a chamber very near, where he heard what passed, and was inexpressibly surprised at it. The Dukes of Norfolk and Suffolk were in court, and complained much of this delay; and pressed the Legates to give sentence. Campegio

* Campegio might take upon him to direct the process, as being sent express from Rome, or to avoid the imputation that might have been cast on the proceedings, if Wolsey had done it, but he was not the ancienter cardinal, for Wolsey was made alone Sept. 7, 1515, and Campegio, with many more, was advanced July 1, 1517.

answered, that what they might then pronounce would be of no force, as being in vacation-time; but gave great hopes of a favourable sentence in the beginning of October. Upon which the lords spake very high. And the Duke of Suffolk, with great commotion, swore "by the mass, that he saw it was true which had been commonly said, That never cardinal yet did good in England;" and so all the temporal lords went away in a fury, leaving the Legates (Wolsey especially) in no small perplexity. Wolsey knew it would be suspected that he understood this beforehand, and that it would be to no purpose for him, either to say he did not know, or could not help it; all apologies being ill heard by an enraged Prince. Campegio had not much to lose in England but his bishoprick of Salisbury, and the reward he expected from the King, which he knew the Emperor and the Pope would plentifully make up to him. But his colleague was in a worse condition; he had much to fear because he had much to lose: for as the King had severely chid him for the delays of the business, so he was now to expect a heavy storm from him; and, after so long an administration of affairs by so insolent a favourite, it was not to be doubted, but as many of his enemies were joining against him, so matter must needs be found to work his ruin with a Prince that was alienated from him: therefore, he was under all the disorders which a fear that was heightened by ambition and covetousness could produce.

Which gives great offence

Wolsey's danger

But the King governed himself upon this occasion, with more temper than could have been expected from a man of his humour: therefore, as he made no great show of disturbance, so, to divert his uneasy thoughts, he went his progress. Soon after, he received his agent's letter from Rome, and made Gardiner (who was then secretary of state) write to the Cardinal, to put Campegio to his oath, whether he had revealed the King's secrets to the Pope or not? And if he swore he had not done it, to make him swear he should never do it. A little after that, the messenger came from Rome with a breve to the Le-

gates, requiring them to proceed no further, and with
Aug. 4 an avocation of the cause to Rome; together with letters citatory to the King and Queen to appear there in person, or by their proxies. Of which when the King was advertised, Gardiner wrote to the Cardinal by his order, That the King would not have the letters citatory executed, or the commission discharged by virtue of them; but that upon the Pope's breve to them, they should declare their commission void: for he would not suffer a thing so much to the prejudice of his crown, as a citation be made to appear in another court, nor would he let his subjects imagine that he was to be cited out of his kingdom. This was the first step that he made for the lessening of the Pope's power: upon which, the two Cardinals (for they were legates no longer) went to the King at Grafton. It was generally expected that Wolsey should have been disgraced then, for not only the King was offended with him, but he received new informations of his having juggled in the business, and that he secretly advised the Pope to do what was done. This was set about by some of the Queen's agents, as if there was certain knowledge had of it at Rome; and it was said, that some letters of his to the Pope were by a trick found and brought over to England. The Emperor looked on the Cardinal as his inveterate enemy, and designed to ruin him if it was possible; nor was it hard to persuade the Queen to concur with him to pull him down. But all this seems an artifice of their's only to destroy him. For the earnestness the Cardinal expressed in this matter was such, that either he was sincere in it, or he was the best at dissembling that ever was. But these suggestions were easily infused in the King's angry mind: so strangely are men turned by their affections, that sometimes they will believe nothing, and at other times they believe every thing. Yet when the Cardinal with his colleague came to court, they were received by the King with very hearty expressions of kindness; and Wolsey was often in private with him, sometimes in presence of the council, and sometimes

alone: once he was many hours with the King alone, and when they took leave he sent them away very obligingly. But that which gave Cardinal Wolsey the most assurance was, that all those who were admitted to the King's privacies, did carry themselves towards him as they were wont to do; both the Duke of Suffolk, Sir Thomas Boleyn, then made viscount of Rochford, Sir Brian Tuke, and Gardiner; concluding, that from the motions of such weathercocks the air of the Prince's affections was best gathered. Sept 23, in a letter from the Cardinal, to secretary Cromwell.

Anne Boleyn was now brought to the court again, out of which she had been dismissed for some time, for silencing the noise that her being at court during the process would have occasioned. It is said, that she took her dismission so ill, that she resolved never again to return; and that she was very hardly brought to it afterwards, not without threatenings from her father. But of that nothing appears to me; only this I find, that all her former kindness to the Cardinal was now turned to enmity, so that she was not wanting in her endeavours to pull him down. Anne Boleyn returns to court.

But the King being reconciled to her, and, as it is ordinary after some intermission and disorder between lovers, his affection increasing, he was casting about for overtures how to compass what he so earnestly desired. Sometimes he thought of procuring a new commission: but that was not advisable, for after a long dependance it might end as the former had done. Then he thought of breaking off with the Pope; but there was great danger in that, for besides that in his own persuasion, he adhered to all the most important parts of the Roman religion, his subjects were so addicted to it, that any such a change could not but seem full of hazard. Sometime he inclined to confederate himself with the Pope and Emperor, for now there was no dividing of them, till he should thereby bring the Emperor to yield to his desires. But that was against the interests of his kingdom, and the Emperor had already proceeded so far in his opposition, that he could not be easily brought about.

While his thoughts were thus divided, a new pro-

Cranmer's proposition about the King's divorce

position was made to him, that seemed the most reasonable and feasible of them all. There was one Dr. Cranmer, who had been a Fellow of Jesus College in Cambridge; but having married, forfeited his fellowship; yet continued his studies, and was a reader of divinity in Buckingham College. His wife dying, he was again chosen Fellow of Jesus College; and was much esteemed in the university for his learning, which appeared very eminently on all public occasions. But he was a man that neither courted preferment, nor did willingly accept of it when offered. And therefore, though he was invited to be a reader of divinity in the Cardinal's College, at Oxford, he declined it. He was at this time forced to fly out of Cambridge from a plague that was there, and having the sons of one Mr. Cressy, of Waltham Cross, committed to his charge, he went with his pupils to their father's house at Waltham. There he was when the King returned from his progress, who took Waltham in his way, and lay a night there. The harbingers having appointed Gardiner and Fox, the King's secretary and almoner, to lie at Mr. Cressy's house, it so happened that Cranmer was with them at supper. The whole discourse of England being then about the divorce, these two courtiers, knowing Cranmer's learning and solid judgment, entertained him with it, and desired to hear his opinion concerning it. He modestly declined it; but told them, that he judged it would be a shorter and safer way once to clear it well, if the marriage was unlawful in itself, by virtue of any divine precept: for if that were proved, then it was certain, that the Pope's dispensation could be of no force to make that lawful, which God had declared to be unlawful. Therefore he thought that, instead of a long fruitless negotiation at Rome, it were better to consult all the learned men, and the universities of Christendom; for if they once declared it in the King's favour, then the Pope must needs give judgment; or otherwise, the bull being of itself null and void, the marriage would be found sinful, notwithstanding the Pope's dispensation. This seemed a very good motion, which they

resolved to offer to the King; so next night, when he came to Greenwich, they proposed it to him; but with this difference, that Gardiner had a mind to make it pass for their own contrivance; but Fox, who was of a more ingenuous nature told the King from whom they had it. He was much affected with it, so soon as he heard it, and said, had he known it sooner, it would have saved him a vast expense and much trouble; and would needs have Cranmer sent for to court, saying, in his coarse way of speaking, "That he had the sow by the right ear." So he was sent for to court, and being brought before the King, he carried himself so, that the King conceived a high opinion of his judgment and candour, which he preserved to his death, and still paid a respect to him, beyond all the other churchmen that were about him: and though he made more use of Gardiner in his business, whom he found a man of great dexterity and cunning; yet he never had any respect for him: but for Cranmer, though the King knew that in many things he differed from him, yet, for all his being so impatient of contradiction, he always reverenced him.

Approved by the King:

He was soon looked on as a rising churchman, and the rather because the Cardinal was now declining; for in the following Michaelmas term, the King sent for the great seal, which the Cardinal at first was not willing to part with. But the next day the King wrote to him, and he presently delivered it to the Dukes of Norfolk and Suffolk. It was offered back again to Warham, archbishop of Canterbury; but he being very old, and foreseeing great difficulties in the keeping of it, excused himself. So it was given to Sir Thomas More, who was not only eminent in his own profession, but in all other learning; and was much esteemed for the strictness of his life, and his contempt of money. He was also the more fit to be made use of, having been in ill terms with the Cardinal. Soon after, Hales, the attorney-general, put in an information against the Cardinal in the King's Bench; bearing, "that notwithstanding the statute of Richard II. against the procuring bulls from Rome, under the

And he much esteemed by him.

The Cardinal's fall.

pains of premunire, yet he had procured bulls for his legantine power, which he had for many years executed; and some particulars, for form, were named out of a great many more." To this he put in his answer, by his attorney, and confessed the indictment, but pleaded his ignorance of the statute, and submitted himself to the King's mercy. Upon this it was declared, that he was out of the King's protection, and that he had forfeited his goods and chattels to the King, and that his person might be seized on. Then was his rich palace of York House (now Whitehall), with all that vast wealth and royal furniture that he had heaped together (which was beyond any thing that had ever been seen in England before), seized on for the King.* But it seems the King had not a mind to destroy him outright, but only to bring him lower, and to try if the terror of that would have any influence on the Pope: therefore, on the 21st of November, the King granted him first his protection, and then his pardon, and restored him to the archbishoprick of York, and the bishoprick of Winchester, and gave him back in money, goods, and plate, that which amounted to 6374*l.* 3*s.* 7*d.* and many kind messages were sent him, both by the King and Anne Boleyn.

Rol Pat 2 pars vices prin Regni Feb 12.

The meanness of his temper.

But as he had carried his greatness with most extravagant pride, so he was no less basely cast down with his misfortune; and having no ballast within himself, but being wholly guided by things without him, he was lifted up, or cast down, as the scales of fortune turned: yet his enemies had gone too far, ever to suffer a man of his parts or temper to return to favour. And therefore they so ordered it, that a high charge of many articles was brought against him, into the House of Lords, in the parliament that sate in November following; and it passed there, where he had but few friends, and many and great enemies. But when the charge was sent down to the House of Commons, it was so managed by the industry of Cromwell, who had been

* The house of his see could not be forfeited, or seized, it was conveyed over by him to the King (the conveyance confirmed by the dean and chapter of York). See his Life by Cavendish, chap. 18.

his servant, that it came to nothing. The heads of it have been oft printed, therefore I shall not repeat them; they related chiefly to his legantine power, contrary to law, to his insolence and ambition, his lewd life, and other things that were brought to defame as well as destroy him.

All these things did so sink his proud mind, that a deep melancholy overcame his spirits. The King sent him frequent assurances of his favour, which he received with extravagant transports of joy, falling down on his knees in the dirt before the messenger that brought one of them, and holding up his hands for joy, which shewed how mean a soul he had, and that, as himself afterwards acknowledged, "He preferred the King's favour to God Almighty's." But the King found they took little notice of him at Rome; the Emperor hated him, and the Pope did not love him, looking on him as one that was almost equal to himself in power: and though they did not love the precedent to have a cardinal so used, yet they were not much troubled at Rome to see it fall on him. So in Easter week, he was ordered to go north, though he had a great mind to have stayed at Richmond. But that was too near the court, and his enemies had a mind to send him further from it. Accordingly he went to Cawood in Yorkshire, in which journey it appears, that the ruins of his state were considerable, for he travelled thither with one hundred and sixty horse in his train, and seventy-two carts following him, with his household stuff.

The King still favoured him

To conclude his story all at once, he was, in November the next year, seized on by the Earl of Northumberland, who attached him for high treason, and committed him to the keeping of the Lieutenant of the Tower, who was ordered to bring him up to London. And even then he had gracious messages from the King; but these did not work much on him, for whether it was that he knew himself guilty of some secret practices with the Pope, or with the Emperor, which yet he denied to the last; or, whether he could no longer stand under the King's displeasure, and

He is afterwards attached for treason,

that change of condition; he was so cast down, that, on his way to London, he sickened at Sheffield Park, in the Earl of Shrewsbury's house, from whence, by slow journeys, he went as far as Leicester, where after some days' languishing he died; and at the last, made great "protestations of his having served the King faithfully, and that he had little regarded the service of God, to do him pleasure; but if he had served God as he had done him, he would not have given him over so, as he did in his gray hairs. And he desired the King to reflect on all his past services, and in particular, in his weighty matter (for by that phrase, they usually spoke of the King's divorce), and then he would find in his conscience whether he had offended him or not." He died the 29th of November, 1530, and was the greatest instance that several ages had shewn of the variety and inconstancy of human things, both in his rise and fall; and by his temper in both, it appears he was unworthy of his greatness, and deserved what he suffered. But to conclude all that is to be said of him, I shall add what the writer of his life ends it with: "Here is the end and fall of pride and arrogance, for I assure you, in his time, he was the haughtiest man in all his proceedings alive, having more respect to the honour of his person, than he had to his spiritual profession, wherein should be shewed all meekness and charity."

And dies.

His character.

A parliament called.

But now with the change of this great minister, there followed a change of counsels, and therefore the King resolved to hold a parliament, that he might meet his people, and establish such a good understanding between himself and them, that he might have all secured at home; and he then resolved to proceed more confidently abroad. There had been no parliament for seven years, but the blame of that, and of every other miscarriage, falling naturally on the disgraced minister, he did not doubt, that he should be able to give his people full satisfaction in that, and in every thing else. So a parliament was summoned to meet the 3d of November. And there, among several other laws that were made for the pub

lic good of the kingdom, there were bills sent up by the House of Commons, against some of the most exorbitant abuses of the clergy: one was against the exactions for the probates of wills; another was for the regulating of mortuaries; a third was about the plurality of benefices, and non-residence, and churchmen's being farmers of lands. In the passing of these bills, there were severe reflections made on the vices and corruptions of the clergy of that time, which were believed to flow from men that favoured Luther's doctrine in their hearts.

When these bills were brought up to the House of Lords, the Bishop of Rochester speaking to them, did reflect on the House of Commons: saying, That they were resolved to bring down the church, and he desired they would consider the miserable state of the kingdom of Bohemia, to which it was reduced by heresy, and ended, "That all this was for lack of faith." But this being afterwards known to the House of Commons, they sent their speaker, Sir Thomas Audley, with thirty of their members, to complain to the King of the Bishop of Rochester, for saying that their acts flowed from the want of faith, which was a high imputation on the whole nation, when the representative of the Commons was so charged, as if they had been infidels and heathens. This was set on by the court to mortify that Bishop, who was unacceptable to them, for his adhering so firmly to the Queen's cause. The King sent for the Archbishop of Canterbury and six other bishops, and before them told the complaint of the Commons. But the Bishop of Rochester excused himself, and said, he only meant of the kingdom of Bohemia, when he said "all flowed from the want of faith," and did not at all intend the House of Commons. This explanation the King sent by the treasurer of his household, Sir William Fitz-Williams. But though the matter was passed over, yet they were not at all satisfied with it; so that they went on, laying open the abuses of the clergy.

Hall.

The House of Commons complains of the Bishop of Rochester.

In the House of Peers great opposition was made to the bills, and the clergy both within and without

Some bills passed, reforming the abuses of the clergy

doors did defame them, and said, these were the ordinary beginnings of heresy, to complain of abuses, and pretend reformation, on purpose to disgrace the clergy, from which heresy took its chief strength. And the spiritual lords did generally oppose them, the temporal lords being no less earnest to have them passed. The Cardinal was admitted to sit in the House, where he shewed himself as submissive in his fawning, as he had formerly done in his scorn and contempt of all who durst oppose him. But the King set the bills forward, and in the end they were agreed to by the lords, and had the royal assent.

The King intended by this to let the Pope see what he could do if he went on to offend him, and how willingly his parliament would concur with him, if he went to extremities. He did also endear himself much to the people, by relieving them from the oppressions of the clergy. But the clergy lost much by this means, for these acts did not only lessen their present profits, but did open the way for other things that were more to their detriment afterwards. Their opposing of this, and all other motions for reformation, did very much increase the prejudices that were conceived against them: whereas, if such motions had either risen from themselves, or had at least been cherished by them, their adversaries had not perhaps been so favourably heard: so fatally did they mistake their true interest, when they thought they were concerned to link with it all abuses and corruptions.

One act discharging the King of his debts. Collect. Numb 31.

But there passed another bill in this parliament, which was not printed with the other statutes, but which will be found in the Collection of Instruments at the end. The bill bore in a preamble the highest flattery that could be put in paper, of the great things the King had done for the church and nation, in which he had been at vast charges; and that divers of the subjects had lent great sums of money, which had been all well employed in the public service; and whereas, they had security for their payment, the parliament did offer all these sums so lent to the King, and discharged him of all the obligations or assigna-

tions made for their payment, and of all suits that might arise thereupon.

This was brought into the House by the King's servants, who enlarged much on the wealth and peace of the nation, notwithstanding the wars, the King always making his enemies' country the scene of them; and shewed that, for fourteen years, the King had but one subsidy from his people; that now he asked nothing for any other purpose, but only to be discharged of a debt contracted for the public, the accounts whereof were shewn, by which they might see to what uses the money so raised had been applied. But there were several ends in passing this bill: those of the court did not only intend to deliver the King from a charge by it, but also to ruin all the Cardinal's friends and creatures, whom he had caused every where to advance great sums, for an example to others. Others in the House, that were convinced that the act was unjust in itself, yet did easily give way to it, that they might effectually for the future discredit that way of raising money by loans, as judging it to be the public interest of the kingdom, that no sums of money should be raised but by parliament. So this act passed, and occasioned great murmuring among all them that suffered by it. But to qualify the general discontent, the King gave a free pardon to his subjects for all offences, some capital ones only excepted, as is usual in such cases; and, to keep the clergy under the lash, all transgressions against the statutes of provisors and premunire were excepted, in which they were all involved, as will afterwards appear. There are two other exceptions in this pardon, not fit to be omitted: the one is, of the pulling or digging down crosses on the highways, which shews what a spirit was then stirring among the people; the other is, of the forfeitures that accrued to the King by the prosecution against Cardinal Wolsey, that is, the Cardinal's college in Oxford, with the lands belonging to it, which are excepted, upon which the dean and canons resigned their lands to the King, the original of which is yet extant: but the King founded the college anew soon after. All

this was done both to keep the clergy quiet, and to engage them to use what interest they had in the court of Rome, to dispose the Pope to use the King better in his great suit. After those acts were passed, on the 17th of December the parliament was prorogued till April following; yet it did not sit till January after that being continued by several prorogations.

There had been great industry used in carrying elections for the parliament, and they were so successful, that the King was resolved to continue it for some time. This great business being happily over, the King's thoughts turned next to affairs beyond sea. The whole world was now at peace. The Pope and the Emperor (as was said before) had made an alliance, on terms of such advantage to the Pope, that as the Emperor did fully repair all past injuries, so he laid new and great obligations on him: for he engaged that he would assist him in the recovery of his towns, and that he would restore his family to the government of Florence, and invest his nephew in it with the title of duke, to whose son he would marry his own natural daughter; and that he would hold the kingdom of Naples of the papacy. These were the motives that directed the Pope's conscience so infallibly in the King's business. Not long after that, in August, another peace was made in Cambray, between the Emperor and the French King, and Lady Margaret, the Emperor's aunt and regent of Flanders: where the King first found the hollowness of the French friendship and alliance; for he was not so much considered in it as he expected, and he clearly perceived that Francis would not embroil his own affairs to carry on his divorce.

The Pope and the Emperor firmly united June 20.

The women's peace Aug 5.

The Emperor went over into Italy, and met the Pope at Bononia, where he was crowned with great magnificence. The Pope and he lodged together in the same palace, and there appeared such signs of a familiar friendship between them, that the King's ambassadors did now clearly perceive that they were firmly united. The Emperor did also, by a rare mixture of generosity and prudence, restore the duchy of Milan to Francis Sforza. By this he settled the peace of Italy,

The Emperor's coronation at Bononia.

nothing holding out but Florence, which he knew would be soon reduced, when there was no hope of succour from France; and, accordingly, after eleven months' siege, it was taken, and within a year after, Alexander de Medici was made duke of it. About the time that the Emperor came to Bononia, news was brought that the Turk was forced to raise the siege of Vienna; so that all things concurred to raise his glory very high. At Bononia he would needs receive the two crowns of the Roman empire, that of Milan, and that of Rome, which was done with all the magnificence possible, the Pope himself saying mass, both in Latin and Greek. There is one ceremony of the coronation fit to be taken notice of in this work—that the Emperor was first put in the habit of a canon of Sancta Maria de la Torre in Rome, and after that in the habit of a deacon, to make him be looked on as an ecclesiastical person. This had risen out of an extravagant vanity of the court of Rome, who devised such rites to raise their reputation so high, that on the greatest solemnity, the Emperor should appear in the habit of the lowest of the sacred orders, by which he must know that priests and bishops are above him. When the Pope and he first met, the ceremony of kissing the Pope's foot was much looked for, and the Emperor very gently kneeled to pay that submission; but the Pope (whether it was that he thought it was no more seasonable to expect such compliments, or more signally to oblige the Emperor) did humble himself so far as to draw in his foot, and kiss his cheek.

Florence taken, Aug 9

Pope's nephew made duke of it, July 17, 1531.

Siege of Vienna raised, Oct 13, 1529.

Emperor crowned King of Lombardy, Feb 22, 1530

Rom. Emp Feb 24

But now the divorce was to be managed in another method; and therefore Cranmer, after he had discoursed with the King about that proposition which was formerly mentioned, was commanded by him to write a book for his opinion, and confirm it with as much authority as he could; and was recommended to the care of the Earl of Wiltshire and Ormond (to which honour the King had advanced Sir Thomas Boleyn, in the right of his mother), and in the beginning of the next year, he published his book about it. Richard Crooke (who was tutor to the Duke of Rich-

The King consults his universities about his divorce.

mond) was sent into Italy, and others were sent to France and Germany, to consult the divines, canonists, and other learned men in the universities, about the King's business. How the rest managed the matter, I have not yet been able to discover; but from a great number of original letters of Dr. Crooke's, I shall give a full account of his negotiation. It was thought best to begin at home; and therefore the King wrote to the two Universities in England, to send him their conclusions about it. The matters went at Oxford thus:—

Lord Herbert, out of the record. April 4, 1530

The Bishop of Lincoln being sent thither, with the King's letters for their resolution, it was by the major vote of the convocation of all the doctors and masters, as well regents as non-regents, committed to thirty-three doctors and bachelors of divinity (who were named by their own faculty), or to the greater number of them, to determine the questions that were sent with the King's letters, and to set the common seal of the University to their conclusions: and by virtue of that warrant, they did, on the 8th of April, put the common seal of the University to an instrument, declaring the marriage of the brother's wife to be both contrary to the laws of God and nature. The Collector of the Antiquities of Oxford* informs us of the uneasiness that was in the University in this matter, and of the several messages the King sent, before that instrument could be procured; so that from the 12th of February to the 8th of April, the matter was in agitation, the masters of arts generally opposing it, though the doctors and heads were, for the greatest part, for it. But after he has set down the instrument, he gives some reasons (upon what design I cannot easily imagine) to shew that this was extorted by force; and being done without the consent of the masters of arts, was of itself void, and of no force: and, as if it had been an ill thing, he

Vid Wood, p ñ 257

Lib 1 p 225

* See in Vol III. Part II. Appendix No 1, Wood's vindication of himself, with Burnet's remarks, all relating to what is said in this page and the following. Burnet, in reply to one part of Wood's charges, inferring that the consent of the Oxford doctors was obtained by measures of intimidation, observes, "I do not find there was any frightening threatenings. None appear in the King's letters." In this, however, Wood has been judged to be most right.—See Herbert's Life, Collier, and Hallam's Constitutional History of England, and indeed it would be difficult to prove Henry's three letters, to be seen among the records of the third vol. No. 17, to be so mild and inoffensive as Burnet pretends.—N.

takes pains to purge the University of it, and lays it upon the fears and corruptions of some aspiring men ofthe University: and, without any proof, gives credit to a lying story, set down by Sanders, of an assembly called in the night, in which the seal of the University was set to the determination. But it appears that he had never seen or considered the other instrument to which the University set their seal, that was agreed on in a convocation of all the doctors and masters, as well regents as non-regents; giving power to these doctors and bachelors of divinity to determine the matter, and to set the seal of the University to their conclusion: the original whereof the Lord Herbert saw, upon which the persons so deputed, had full authority to set the University seal to that conclusion without a new convocation. Perhaps that instrument was not so carefully preserved among their records, or was in Queen Mary's days taken away, which might occasion these mistakes in their historian.

There seems to be also another mistake in the relation he gives: for he says, those of Paris had determined in this matter before it was agreed to at Oxford. The printed decision of the Sorbonne contradicts this: for it bears date the 2d of July, 1530, whereas this was done the 8th of April, 1530. But what passed at Cambridge I shall set down more fully, from an original letter, written by Gardiner and Fox, to the King, in February (but the day is not marked). When they came to Cambridge, they spake to the Vice-Chancellor, whom they found very ready to serve the King; so was also Dr. Edmonds,* and several others; but there was a contrary party, that met together, and resolved to oppose them. A meeting of the doctors, bachelors of divinity, and masters of arts, in all about two hundred, was held. There the King's letters were read, and the Vice-Chancellor, calling upon several of them, to deliver

Collect Numb 32

And at Cambridge, Feb

* According to Collier, Dr Edmonds was then the Vice-Chancellor and Master of Peter House. Burnet, however, seems to be right, from the letter placed among the records, No 32, in which Gardiner and Fox, writing from Cambridge, plainly speak of the Vice-Chancellor *and Dr. Edmonds*, as distinct persons.—Dr Buckmaster indeed appears to have been Vice-Chancellor at this time.—N.

their opinions about it, they answered as their affections led them, and were in some disorder. But it being proposed, that the answering the King's letter, and the questions in it, should be referred to some indifferent men; great exceptions were made to Dr. Salcot, Dr. Reps, and Crome, and all others who had approved Dr. Cranmer's book, as having already declared themselves partial. But to that it was answered, that after a thing was so much discoursed of, as the King's matter had been, it could not be imagined that any number of men could be found, who had not declared their judgment about it one way or another. Much time was spent in the debate; but when it grew late, the Vice-Chancellor commanded every man to take his place, and to give his voice, whether they would agree to the motion of referring it to a select body of men: but that night they would not agree to it.

The congregation being adjourned till next day, the Vice-Chancellor offered a grace (or order) to refer the matter to twenty-nine persons (himself, ten doctors, and sixteen bachelors, and the two proctors), That (the questions being publicly disputed) what two parts of three agreed to, should be read in a congregation, and without any further debate the common seal of the University should be set to it. Yet it was at first denied; then being put to the vote, it was carried equally on both sides. But being a third time proposed, it was carried for the divorce. Of which an account was presently sent to the King, with a schedule of their names to whom it was committed, and what was to be expected from them; so that it was at length determined, though not without opposition, That the King's marriage was against the law of God.

Though with great difficulty.

It is thought strange, that the King, who was otherwise so absolute in England, should have met with more difficulty in this matter at home than he did abroad. But the most reasonable account I can give of it is, that at this time there were many in the Universities (particularly at Cambridge) who were ad-

dicted to Luther's doctrine. And of those Cranmer was looked on as the most learned: so that Crome, Shaxton, Latimer, and others of that society, favoured the King's cause; besides that, Anne Boleyn had, in the Duchess of Alanson's court (who inclined to the Reformation), received such impressions as made them fear, that her greatness and Cranmer's preferment would encourage heresy; to which the Universities were furiously averse; and, therefore, they did resist all conclusions that might promote the divorce.

Crooke employed in Venice. Crooke's negotiation, taken from many of his original letters Cott. Libr. Vitel. B. 13.

But as for Crooke in Italy, he being very learned in the Greek tongue, was first sent to Venice, to search the Greek manuscripts that lay in the library of St. Mark, and to examine the decrees of the ancient councils: he went *incognito*, without any character from the King; only he had a letter recommending him to the care of John Cassali, then ambassador at Venice, to procure him an admittance into the libraries there. But in all his letters he complained mightily of his poverty, that he had scarce whereby to live and pay the copiers whom he employed to transcribe passages out of MSS. He stayed some time at Venice, from whence he went to Padua, Bononia, and other towns, where he only talked with divines and canonists about these questions—Whether the precepts in Leviticus, of the degrees of marriage, do still oblige Christians? And whether the Pope's dispensation could have any force against the law of God? These he proposed in discourse, without mentioning the King of England, or giving the least intimation, that he was sent by him, till he once discovered their opinions. But finding them generally inclining to the King's cause, he took more courage and went to Rome; where he sought to be made a penitentiary priest, that he might have the freer access into libraries, and be looked on as one of the Pope's servants. But at this time the Earl of Wiltshire and Stokesley (who was made bishop of London, Tonstall being translated to Duresme), were sent by the King into Italy, ambassadors both to the Pope and Emperor. Cranmer went with them to justify his book in both these courts. Stokesley

brought full instructions to Crooke to search the writings of most of the Fathers on a great many passages of the Scripture; and, in particular, to try, what they wrote on that law in Deuteronomy, which provided, That when one died without children, his brother should marry his wife to raise up children to him. This was most pressed against the King by all that were for the Queen, as either an abrogation of the other law in Leviticus, or at least a dispensation with it in that particular case. He was also to consult the Jews about it; and was to copy out every thing that he found in any manuscript of the Greek or Latin fathers relating to the degrees of marriage. Of this labour he complained heavily, and said, That though he had a great task laid on him, yet his allowance was so small, that he was often in great straits. This I take notice of, because it is said by others, that all the subscriptions that he procured were bought. At this time there were great animosities between the ministers whom the King employed in Italy; the two families of the Cassali and the Ghinucci hating one another. Of the former family were the ambassadors at Rome and at Venice: of the other, Hierome was bishop of Worcester, and had been in several embassies into Spain. His brother Peter was also employed in some of the little courts of Italy as the King's agent. Whether the King out of policy kept this hatred up to make them spies one on another, I know not. To the Ghinucci was Crooke gained, so that in all his letters he complained of the Cassali, as men that betrayed the King's affairs; and said that John, then ambassador at Venice, not only gave him no assistance, but used him ill: and publicly discovered, that he was employed by the King; which made many who had formerly spoken their minds freely, be more reserved to him. But as he wrote this to the King, he begged of him, that it might not be known, otherwise he expected either to be killed or poisoned by them: yet they had their correspondents about the King, by whose means they understood what Crooke had informed against them. But

they wrote to the King, that he was so morose and ill-natured, that nothing could please him; and to lessen his credit, they did all they could to stop his bills. All this is more fully set down than perhaps was necessary, if it were not to shew that he was not in a condition to corrupt so many divines, and whole universities, as some have given out. He got into the acquaintance of a friar at Venice, Franciscus Georgius, who had lived forty-nine years in a religious order, and was esteemed the most learned man in the republic, not only in the vulgar learning, but in the Greek and Hebrew, and was so much accounted of by the Pope, that he called him *the hammer of heretics*. He was also of the senatorian quality, and his brother was governor of Padua, and paid all the readers there. This friar had a great opinion of the King: and having studied the case, wrote for the King's cause, and endeavoured to satisfy all the other divines of the republic, among whom he had much credit. Thomas Omnibonus, a Dominican, Philippus de Cremis, a doctor of the law, Valerius of Bergamo, and some others, wrote for the King's cause. Many of the Jewish Rabbins did give it under their hands in Hebrew, "That the laws of Leviticus and Deuteronomy were thus to be reconciled: That law of marrying the brother's wife, when he died without children, did only bind in the land of Judea, to preserve families, and maintain their successions in the land, as it had been divided by lot; but that in all other places of the world, the law of Leviticus, of not marrying the brother's wife, was obligatory." He also searched all the Greek MSS. of councils, and Nazianzen's and Chrysostom's works. After that he run over Macarius, Acarius, Apollinaris, Origen, Gregory Nyssen, Cyril, Severian, and Gennadius; and copied out of them all that which was pertinent to his purpose. He procured several hands to the conclusions, before it was known that it was the King's business in which he was employed. But the government of Venice was so strict, that when it was known whose agent he was, he found it not easy to procure

Many in Italy write for the King's cause.

subscriptions: therefore he advised the King to order his minister to procure a licence from the senate, for their divines to declare their opinions in that matter. Which being proposed to the senate, all the answer he could obtain was, That they would be neutrals; Feb 18. and when the ambassador pressed, as an evidence of neutrality, that the senate would leave it free to their divines, to declare of either side as their consciences led them; he could procure no other answer, the former being again repeated. Yet the senate making no prohibition, many of their divines put their hands to the conclusions. And Crooke had that success, that he wrote to the King, he had never met with a divine that did not favour his cause: but the conclusions touching the Pope's power, his agents did every where discourage, and threaten those who subscribed them. And the Emperor's ambassador at Venice did threaten Omnibonus for writing in prejudice of the Pope's authority; and asserting conclusions, which would make most of the princes of Europe bastards. He answered, he did not consider things as a statesman, but as a divine. Yet, to take off this fear, Crooke suggested to the King, to order his minister at the court of Rome to procure a breve, "That divines or canonists might without fear or hazard deliver their opinions according to their consciences, requiring them, under the pain of excommunication, that they should write nothing for gain or partial affections, but say the pure and simple truth, without any artifice, as they would answer to God in the great day of judgment." This seemed so fair, that it might have been expected the successor of St. Peter would not deny it; yet it was not easily obtained, though Aug. 7 the King wrote a very earnest letter to the Bishop of Verona, to assist his minister in procuring it. And Sept 16 I find by another dispatch, that the breve was at length gained, not without much opposition made to it by the Emperor's ambassadors: for at Rome, though they knew not well how to oppose this method, because it seemed so very reasonable; yet they had great apprehensions of it, because they thought it was designed

Though the Pope and Emperor discouraged them July 4.

to force the Pope to determine as the King pleased: and they abhorred the precedent, that a company of poor friars should dictate to them in matters of this nature. Crooke reports out of a letter of Cranmer's July 28
to him from Rome, these words: "As for our successes here, they be very little, nor dare we attempt to know any man's mind, because of the Pope; nor is he content with what you have done; and he says, no friars shall discuss his power: and as for any favour in this court, I look for none, but to have the Pope with all his cardinals declare against us." But Aug. 5, 1530
Crooke, as he went up and down procuring hands, told those he came to, "he desired they would write their conclusions, according to learning and conscience, without any respect or favour, as they would answer it at the last day; and protested he never No money nor bribes given for subscriptions
gave nor promised any divine any thing, till he had first freely written his mind, and that what he then gave, was rather an honourable present than a reward.* And in another letter to the King he writes: "Upon pain of my head, if the contrary be proved, I Sept 7
never gave any man one halfpenny, before I had his conclusion to your Highness, without former prayer or promise of reward for the same." From whence it appears, that he not only had no orders from the King to corrupt divines, but that his orders were express to the contrary.

As for the money he gave, the reader will be best able to judge by the following account, whether it was such as could work much on any man. There Feb 8.
is an original bill of his accounts yet extant, audited

* That money was employed seems to admit of no doubt, but how far rather as a subsequent remuneration, than a preliminary bribe, may in some degree be questioned. but if Henry did have recourse to such means occasionally, it might be only to counteract what was doing on the other side. In one of Crooke's letters we find the following passage, which certainly looks like bribery. "I doubt not but all Christian Universities, *if they be well handled*, will earnestly conclude with your Highness," but then, in another place, he also tells the King, "Cæsar, by threats, prayers, *money*, and sacerdotal influences, terrifies our friends and confirms his own"—From the letter cited by Collier, ii 58, to prove that bribes were offered, it would rather seem that some professed to be on the King's side in hopes of a remuneration, and after having in *consequence* of such professions, received a gratuity, abandoned the cause, and actually wrote against the King —See the case of Friar Thomas and Raphael, in the place referred to —N.

and signed by Peter a Ghinucciis, out of which I
Only some small acknowledgments. have extracted these particulars: "Item, to a Servite friar when he subscribed, one crown. To a Jew, one crown. To the doctors of the Servites, two crowns. To the Observant friars, two crowns. To the Prior of St. John and St. Paul's, who wrote for the King's cause, fifteen crowns. To that convent, four crowns. Item, given to John Maria for his expense of going to Milan from Venice, and for rewarding the doctors there, thirty crowns. Item, to John Marino, minister of the Franciscans, who wrote a book for the King's cause, twenty crowns." This shews that they must have had very prostituted consciences, if they could be hired so cheap. It is true, Crooke in many of his
Feb 22. letters says, "That if he had money enough, he did not doubt but he should get the hands of all the divines in Italy, for he found the greatest part of them
Feb 9. all mercenary." But the Bishop of Worcester in his letters to him, ordered him only to promise rewards to those who expected them, and lived by them, that is, to the canonists who did not use to give their opinion without a fee.

Sept 16. But great rewards given by the Emperor But at the same time, the Emperor did reward and fee divines at another rate; for Crooke informed the King, that one Friar Felix having written for the validity of the marriage against the King, there was a benefice of five hundred ducats a year given him in reward. And the Emperor's ambassador offered a thousand ducats to the Provincial of the Gray-Friars in Venice, if he would inhibit all within his province
Sept. 29. to write or subscribe for the King's cause. But the Provincial refused it, and said, he neither could nor yet would do it. And another that wrote for the Queen had a benefice of six hundred crowns. So that it was openly said at Ferrara, That they who wrote for the King had but a few crowns a-piece, but they who wrote on the other side had good benefices. They also tried what could be done at Padua, both by threatenings, entreaties, and rewards, to induce them to reverse the determination they had made in the matter; but with no success. And though Francis

Georgius, the Venetian friar, did greatly promote the King's cause, both by his writings and authority; yet Crooke wrote, "that he could not prevail to make either him or his nephew accept one farthing of him." By such fair means it was that Crooke procured so many subscriptions. Feb. 18.

First, of particular divines, many Franciscans, Dominicans, and Servites, set their hands to the conclusions; though even in that there was opposition made by the Pope's agents. Campegio was now engaged in the Emperor's faction; and did every where misrepresent the King's cause. Being at Venice, he so wrought on the minister of the Franciscans, that though he had declared for the King, and engaged to bring the hands of twenty-four doctors and learned men of his order for it, and had received a small present of ten crowns; yet, after he had kept the money three weeks, he sent it back, and said, he would not meddle more in it: but they procured most of these hands without his help. At Milan, a suffragan bishop and sixteen divines subscribed. Nine doctors subscribed at Vincenza; but the Pope's Nuncio took the writing out of his hands that had it, and suppressed it. At Padua, all the Franciscans, both Observants and Conventuals, subscribed, and so did the Dominicans, and all the canonists; and though the Pope's and Emperor's emissaries did threaten all that subscribed, yet there were got eighty hands at Padua. Next the Universities determined. March 29. May 26. June 27

At Bononia, though it was the Pope's town, many subscribed. The Governor of the town did at first oppose the granting of any determination; but the Pope's breve being brought thither, he, not without great difficulty, gave way to it. So, on the 10th of June, the matter being publicly debated, and all Cajetan's arguments being examined, who was of opinion, "That the laws of marriage, in Leviticus, did not bind the Christian church; they determined, That these laws are still in force, and that they bind all, both Christians and infidels, being parts of the law of nature, as well as of the law of God; and that, They determined for the King at Bononia. June 10.

therefore, they judged marriages, in these degrees, unlawful, and that the Pope had no authority to dispense with them."

At Padua, July 1 Collect. Numb 33

The University of Padua, after some days' public dispute, on the 1st of July, determined to the same purpose; about which Crooke's letter will be found among the Instruments at the end of this book.

And Ferrara, Sept 29

At Ferrara, the divines did also confirm the same conclusion, and set their seal to it: but it was taken away violently by some of the other faction: yet the Duke made it be restored. The profession of the canon law was then in great credit there, and in a congregation of seventy-two of that profession it was determined for the King; but they asked one hundred and fifty crowns for setting the seal to it, and Crooke would not give more than a hundred: the next day he came and offered the money; but then it was told him they would not meddle in it, and he could not afterwards obtain it.

In all, Crooke sent over by Stokesley a hundred several books, papers, and subscriptions, and there were many hands subscribed to many of those papers. But I hope the reader will forgive my insisting so much on this negotiation; for it seemed necessary to give full and convincing evidences of the sincerity of the King's proceedings in it, since it is so confidently given out that these were but mercenary subscriptions.

What difficulties or opposition those who were employed in France found, does not yet appear to me; but the seals of the chief universities there were procured. The University of Orleans determined it on the 7th of April. The faculty of the canon law, at Paris, did also conclude that the Pope had no power to dispense in that case, on the 25th of May. But the great and celebrated faculty of the Sorbonne (whose conclusions had been looked on for some ages as little inferior to the decrees of councils) made their decision with all possible solemnity and decency. They first met at the church of St. Mathurin, where there was a mass of the Holy Ghost, and every one

And in Orleans, April 7 At Paris of the canonists, May 25. Of the Sorbonne, July 2.

took an oath to study the question, and resolve it according to his conscience; and from the 8th of June to the 2d of July, they continued searching the matter with all possible diligence, both out of the Scriptures, the fathers, and the councils; and had many disputes about it. After which, the greater part of the faculty did determine, "That the King of England's marriage was unlawful, and that the Pope had no power to dispense in it;" and they set their common seal to it, at St. Mathurin's, the 2d of July, 1530. To the same purpose did both the faculties of law, civil and canon, at Angiers, determine the 7th of May. On the 10th of June, the faculty of divinity at Bourges, came to the same determination. And on the 1st of October, the whole University of Tholose did all, with one consent, give their judgment, agreeing with the former conclusions. More of the decisions of universities were not printed, though many more were obtained to the same effect. In Germany, Spain, and Flanders, the Emperor's authority was so great, that much could not be expected, except from the Lutherans, with whom Cranmer conversed, and chiefly with Osiander, whose niece he then married. Osiander upon that wrote a book about incestuous marriages, which was published; but was called in by a prohibition printed at Augsburg, because it determined in the King's cause and on his side.

At Angiers, May 7

At Bourges, June 10

And Tholose, Oct 1

Collect Numb 34

Jan 28 His original letter Cott Libr Otho C 10

But now I find the King did likewise deal among those in Switzerland that had set up the reformation. The Duke of Suffolk did most set him on to this (so one who was employed in that time writes), for he often asked him, "How he could so humble himself, as to submit his cause to such a vile, vicious, stranger-priest, as Campegio was?"—To which the King answered, "He could give no other reason but that it seemed to him, spiritual men should judge spiritual things; yet (he said) he would search the matter further; but he had no great mind to seem more curious than other princes." But the Duke desired him to discuss the matter secretly amongst learned men, to which he consented; and wrote to some foreign

Pelerine Inglese

writers that were then in great estimation. Erasmus was much in his favour, but he would not appear in it: he had no mind to provoke the Emperor, and live uneasily in his own country. But Simon Grineus was sent for, whom the King esteemed much for his learning. The King informed him about his process, and sent him back to Basil, to try what his friends in Germany and Switzerland thought of it. He wrote about it to Bucer, Œcolampadius, Zuinglius, and Paulus Phrygion.

Grineus employed amongst the reformed in Switzerland. Whose letters are in a MS. in R. Smith's Library.

Œcolampadius, as it appears by three letters, one dated the 10th of August, 1531, another the last of the same month, another to Bucer the 10th of September, was positively of opinion, "That the law in Leviticus did bind all mankind;" and says, "That law of a brother's marrying his sister-in-law was a dispensation given by God to his own law, which belonged only to the Jews; and, therefore, he thought that the King might without any scruple, put away the Queen." But Bucer was of another mind, and thought the law in Leviticus did not bind, and could not be moral, because God had dispensed with it in one case, of raising up seed to his brother: therefore he thought these laws belonged only to that dispensation, and did no more bind Christians than the other ceremonial or judiciary precepts; and that to marry in some of these degrees was no more a sin, than it was a sin in the disciples to pluck ears of corn on the sabbath-day. There are none of Bucer's letters remaining on this head; but by the answers that Grineus wrote to him, one on the 29th of August, another on the 10th of September, I gather his opinion, and the reasons for it. But they all agreed, that the Pope's dispensation was of no force to alter the nature of the thing. Paulus Phrygion was of opinion, that the laws in Leviticus did bind all nations, because it is said in the text, "That the Canaanites were punished for doing contrary to them, which did not consist with the justice of God, if those prohibitions had not been parts of the law of nature." Dated Basil, the 10th of September. In Grineus's

The opinion of Œcolampadius.

Bucer.

Phrygion.

letter to Bucer, he tells him that the King had said to him, "That now for several years he had perpetual trouble upon him about this marriage." Zuinglius's letter is very full. First, he largely proves, that neither the Pope nor any other power could dispense with the law of God: then, that the apostles had made no new laws about marriage, but had left it as they found it: that the marrying within near degrees was hated by the Greeks, and other heathen nations. But whereas Grineus seemed to be of opinion that though the marriage was ill made, yet it ought not to be dissolved, and inclined rather to advise that the King should take another wife, keeping the Queen still; Zuinglius confutes that, and says, if the marriage be against the law of God, it ought to be dissolved; but concludes the Queen should be put away honourably, and still used as a Queen; and the marriage should only be dissolved for the future, without illegitimating the issue begotten in it, since it had gone on in a public way, upon a received error: but advises, that the King should proceed in a judiciary way, and not establish so ill a precedent as to put away his Queen, and take another, without due form of law. Dated Basil, 17th of August. There is a second letter of his to the same purpose from Zurich, the 1st of September. There is also with these letters a long paper of Osiander's, in the form of a direction how the process should be managed. Zuinglius.

There is also an epistle of Calvin's, published among the rest of his. Neither the date nor the person to whom it was directed are named. Yet I fancy it was written to Grineus upon this occasion: Calvin was clear in his judgment that the marriage was null, and that the King ought to put away the Queen upon the law of Leviticus. And whereas it was objected, that the law is only meant of marrying the brother's wife while he is yet alive; he shews that could not be admitted, for all the prohibited degrees being forbidden in the same style, they were all to be understood in one sense: therefore, since it is confessed, And Calvin, Epist. 384.

that it is unlawful to marry in the other degrees, after the death of the father, son, uncle, or nephew, so it must be also a sin to marry the brother's wife after his death. And for the law in Deuteronomy of marrying the brother's wife to raise up seed to him; he thought, that by *brother* there is to be understood a *near kinsman*, according to the usual phrase of the Hebrew tongue: and by that he reconciles the two laws which otherwise seem to differ, illustrating his exposition by the history of Ruth and Boaz. It is given out that Melancthon advised the King's taking another wife, justifying polygamy from the Old Testament; but I cannot believe it. It is true the lawfulness of polygamy was much controverted at this time. And as in all controversies newly started, many crude things are said; so some of the Helvetian and German divines seem not so fierce against it; though none of them went so far as the Pope did, who did plainly offer to grant the King license to have two wives: and it was a motion the Imperialists consented to, and promoted, though upon what reason the ambassador Cassali, who wrote the account of it to the King, could not learn. The Pope forbade him to write about it to the King, perhaps as whisperers enjoin silence, as the most effectual way to make a thing public. But for Melancthon's being of that mind, great evidences appear to the contrary; for there is a letter of Osiander's to him, giving him many reasons to persuade him to approve of the King's putting away the Queen, and marrying another: the letter also shews he was then of opinion, that the law in Leviticus was dispensable.

Lord Herbert, from an orig. lett Sept 18, 1530

And after the thing was done, when the King desired the Lutheran divines to approve his second marriage, they begged his excuse in a writing, which they sent over to him; so that Melancthon, not allowing the thing when it was done, cannot be imagined to have advised polygamy beforehand.* And

The opinion of the Lutheran divines.

* Though Burnet seems so anxious to acquit Melancthon and the Lutheran Divines, of the charge of giving encouragement to polygamy, yet it is allowed to be a fact well authenticated, that they had given express permission, under

to open at once all that may clear the sense of the Protestants in the question, when, some years after this, Fox, being made bishop of Hereford, and much inclined to their doctrine, was sent over to get the divines of Germany to approve of the divorce, and the subsquent marriage of Anne Boleyn; he found that Melancthon, and others, had no mind to enter much into the dispute about it, both for fear of the Emperor, and because they judged the King was led in it by dishonest affections; they also thought the laws in Leviticus were not moral, and did not oblige Christians, and since there were no rules made about the degrees of marriage in the gospel, they thought princes and states might make what laws they pleased about it: yet, after much disputing, they were induced to change their minds, but could not be brought to think that a marriage once made might be annulled; and therefore demurred upon that, as will appear by the conclusion they passed upon it, to be found at the end of this volume. All this I have set together here, to give a right representation of the judgments of the several parties of Christendom about this matter.

Instructions sent by Dr Barns to Cromwell, Cott. Lib Vitel. B 13.

They condemn the King's first marriage, but are against a second. Collect Numb 35.

It cannot be denied, that the Protestants did express great sincerity in this matter; such as became men of conscience, who were acted by true principles, and not by maxims of policy. For if these had governed them, they had struck in more compliantly with so great a Prince, who was then alienated from the Pope, and in very ill terms with the Emperor: so that,

their own signatures, to the Landgrave of Hesse, to take a wife or concubine, on account of the drunkenness, and disagreeable person of the Landgravine.—See *Bossuet Hist. des Var des Eglises Protestants.* The *Pope* is still understood by many to *have proposed* to Henry to take two wives —See *Hallam's* Constitutional History of England, p 73, note.—But Collier disputes the authorities cited by Mr. H. Perhaps a stronger proof of laxity on this point, on the part of the *Lutheran divines*, could scarcely be adduced than Cramner's letter to Osiander, cited by Collier, vol ii 56 where may also be seen what he has to allege against the evidence of *Cassali*, as cited by Lord Herbert, in proof of the *Pope's* offer of a license to Henry to have two wives. Cassali's letter is to be seen among the Records annexed to this volume, No VI It does certainly seem strange, as Collier suggests, that if such an offer were *seriously* made by the *Pope*, Henry should have neglected to take advantage of it, but Cassali, according to Lord Herbert, intimated to the Pope that he did not think such an expedient would be likely to satisfy or exonerate the King's conscience.—See *Turner's* Henry VIII. 551, note 23.—N.

to have gained him by a full compliance to have protected them, was the wisest thing they could do; and their being so cold in the matter of his marriage, in which he had engaged so deeply, was a thing which would very much provoke him against them. But such measures as these, though they very well became the apostolic see, yet they were unworthy of men, who designed to restore an apostolic religion.

Fox. The Earl of Wiltshire, with the other ambassadors, when they had their audience of the Pope at Bononia, refused to pay him the submission of kissing his foot, though he graciously stretched it out to them; but went to their business, and expostulated in the King's name, and in high words; and in conclusion told the Pope, that the prerogative of the crown of England was such, that their master would not suffer any citation to be made of him to any foreign court; and that therefore the King would not have his cause tried at Rome. The Pope answered, that though the Queen's solicitor had pressed him to proceed in the citation; both that her marriage, being further examined, might receive a new confirmation for silencing the disputes about it, and because the King had withdrawn himself from her: yet, if the King did not go further, and did not innovate in religion, the Pope was willing to let the matter rest. They went next to the Emperor, to justify the King's proceedings in the suit of the divorce. But he told them, he was bound in honour and justice to support his aunt, and that he would not abandon her. Cranmer offered to maintain what he had written in his book; but whether they went so far as to make their divines enter into any discourse with him about it, I do not know. This appears, that the Pope, to put a compliment on the King declared Cranmer his penitentiary in England. He, having stayed some months at Rome, after the ambassadors were gone, went into Germany: where he became acquainted with Cornelius Agrippa, a man very famous for great and curious learning, and so satisfied him in the King's cause, that he gave it out, that the thing was clear and indisputable, for which he was

The King refuses to appear at Rome

Cranmer offers to maintain the King's cause.

afterwards hardly used by the Emperor, and died in prison.

The nobility, clergy, and commons of England write to the Pope.

But when the King received the determinations and conclusions of the Universities, and other learned men beyond sea, he resolved to do two things. First, to make a new attempt upon the Pope, and then to publish those conclusions to the world, with the arguments upon which they were grounded. But to make his address to the Pope carry more terror with it, he got a letter to be signed by a great many members of parliament to the Pope. The Lord Herbert saith, it was done by his parliament; but in that he had not applied his ordinary diligence: the letter bears date the 13th of July. Now, by the records of Parliament, it appears, there could be no session at that time, for there was a prorogation from the 21st of June, till the 1st of October that year; but the letter was sent about to the chief members for their hands; and Cavendish tells, how it was brought to the Cardinal, and with what cheerfulness he set his hand to it. It was subscribed by the Cardinal and the Archbishop of Canterbury, four bishops, two dukes, two marquisses, thirteen earls, two viscounts, twenty-three barons, twenty-two abbots, and eleven commoners, most of these being the King's servants.

In the Life of Wolsey.

This letter and the answer are printed by the Lord Herbert

The contents of the letter were, "That their near relation to the King, made them address thus to the Pope. The King's cause was now, in the opinion of the learned men, and universities both in England, France, and Italy, found just, which ought to prevail so far with the Pope, that though none moved in it, and notwithstanding any contradiction, he ought to confirm their judgment; especially it touching a King and kingdom, to whom he was so much obliged. But since neither the justice of the cause, nor the King's most earnest desires, had prevailed with him, they were all forced to complain of that strange usage of their King; who both by his authority, and with his pen, had supported the apostolic see, and the catholic faith, and yet was now denied justice. From which they apprehended great mischief and civil wars, which

could only be prevented by the King's marrying another wife, of whom he might have issue. This could not be done till his present marriage were annulled. And if the Pope would still refuse to do this, they must conclude that they were abandoned by him, and so seek for other remedies. This they most earnestly prayed him to prevent, since they did not desire to go to extremities till there was no more to be hoped for at his hands."

The Pope's answer.

To this the Pope made answer the 27th of September. "He took notice of the vehemency of their letter, which he forgave them, imputing it to their great affection to their King: they had charged him with ingratitude and injustice; two grievous imputations. He acknowledged all they wrote of the obligations he owed to their King, which were far greater than they called them, both on the apostolic see, and himself in particular. But in the King's cause he had been so far from denying justice, that he was oft charged as having been too partial to him. He had granted a commission to two legates to hear it, rather out of favour, than in rigour of law; upon which the Queen had appealed: he had delayed the admitting of it as long as was possible; but when he saw it could not be any longer denied to be heard, it was brought before the consistory, where all the cardinals, with one consent, found that the appeal, and an avocation of the cause, must be granted. That since that time, the King had never desired to put it to a trial, but, on the contrary, by his ambassadors, at Bononia, moved for a delay; and in that posture it was still; nor could he give sentence in a thing of such consequence, when it was not so much as sought for. For the conclusions of universities and learned men, he had seen none of them from any of the King's ambassadors. It was true, some of them had been brought to him another way; but in them there were no reasons given, but only bare conclusions, and he had also seen very important things for the other side; and therefore he must not precipitate a sentence in a cause of such high importance, till all things were fully heard and considered.

He wished their King might have male issue, but he was not in God's stead to give it. And for their threatenings of seeking other remedies, they were neither agreeable to their wisdom, nor to their religion. Therefore he admonished them to abstain from such counsels; but minded them, that it is not the physician's fault if the patient will do himself hurt. He knew the King would never like such courses; and though he had a just value for their intercession, yet he considered the King much more, to whom, as he had never denied any thing that he could grant with his honour, so he was very desirous to examine this matter, and to put it to a speedy issue, and would do every thing that he could without offending God."

A proclamation against bulls from Rome Lord Herbert

But the King, either seeing the Pope resolved to grant nothing, or apprehending that some bull might be brought into England in behalf of the Queen, or the disgraced Cardinal, did on the 19th of September put forth a proclamation against any "who purchased any thing from Rome, or elsewhere, contrary to his royal prerogative and authority, or should publish or divulge any such thing, requiring them not to do it, under the pains of incurring his indignation, imprisonment, and other punishments on their persons." This was founded on the statutes of provisors and premunires. But that being done, he resolved next to publish to the world, and to his subjects, the justice of his cause: therefore, some learned men were appointed to compare all that had been written on it, and out of all the transcripts of the manuscripts of fathers and councils, to gather together whatsoever did strengthen it. Several of these manuscripts I have seen; one is in Mr. Smith's Library, where are the quotations of the fathers, councils, schoolmen, and canonists written out at length. There are three other such MSS. in the Cotton Library, of which, one contains a large vindication of these authorities, from some exceptions made to them; another is an answer to the Bishop of Rochester's book for the Queen's cause. A third digests the matter into twelve articles, which the reader will find in my Appendix; and these are there enlarged on

Books written for the King's cause

Otho C 10

Ibidem.

Vesp B 8. Collect Numb. 36.

and proved. But all these, and many more, were summed up in a short book, and printed first in Latin, then in English, with the determinations of the Universities before it. These are of such weight and importance, and give so great a light to the whole matter, that I hope the reader will not be ill pleased to have a short abstract of them laid before him.

An abstract of those things which were written for the divorce.

The grounds of it in the Old Testament.

"The law of marriage was originally given by God to Adam in the state of innocence, with this declaration, that man and wife were one flesh; but being afterwards corrupted by the incestuous commixtures of those which were of kin in the nearest degrees, the primitive law was again revived by Moses. And he gives many rules and prohibitions about the degrees of kindred and affinity, which are not to be looked on as new laws and judiciary precepts, but as a restoring of the law of nature, originally given by God, but then much corrupted. For as the preface which is so oft repeated before these laws, 'I am the Lord,' insinuates that they were conform to the Divine Nature; so the consequences of them shew, they were moral and natural. For the breaches of them are called wickedness and abomination, and are said to defile the land; and the violation of them is charged on the Canaanites, by which the land was polluted, and for which it did vomit out the inhabitants. From whence it must be concluded, that these were not positive precepts, which did only bind the Jews, but were parts of the law of mankind and nature; otherwise those nations could contract no guilt by their violating them. Among the forbidden degrees, one is, 'Thou shalt not discover the nakedness of thy brother's wife, it is thy brother's nakedness.' And it is again repeated, 'If a man shall take his brother's wife, it is an unclean thing; he hath uncovered his brother's nakedness, they shall be childless.' These are clear and express laws of God, which therefore must needs oblige all persons of what rank soever, without exception.

Levit xviii 20

Lev xviii. 2, 4, 5, 6, 21.

Ver 17 24, 26. Ver. 24, 25.

Levit. xviii. 16.

Levit xx. 21.

"In the New Testament, St. John Baptist said to Herod, 'It is not lawful for thee to take thy brother's wife,' which shews that these laws of Moses were still obligatory. St. Paul also, in his Epistle to the Corinthians, condemns the incestuous person for having his father's wife, which is one of the degrees forbidden by the law of Moses, and calls it a fornication, not so much as named among the Gentiles. From whence it is inferred, that these forbidden degrees are excluded by the law of nature, since the Gentiles did not admit them. St. Paul also calling it by the common name of fornication, within which, according to that place, all undue commixtures of men and women are included; therefore those places in the New Testament, that condemn fornication, do also condemn marriages in forbidden degrees: our Saviour did also assert the foundation of affinity, by saying, 'that man and wife are one flesh.'

And in the New Matt. xiv. 4.

1 Cor. v. 1.

"But in all controverted things, the sense of the Scriptures must be taken from the tradition of the church, which no good catholic can deny; and that is to be found in the decrees of popes and councils, and in the writings of the fathers and doctors of the church: against which, if any argue from their private understanding of the Scriptures, it is the way of heresy, and savours of Lutheranism. The first of the fathers who had occasion to write of this matter was Tertullian, who lived within an age after the apostles. He in express words says, that the law of not marrying the brother's wife, did still oblige Christians.

Lib iv cont Marcionem

"The first pope, whose decision was sought in this matter, was Gregory the Great, to whom Austin, the apostle of England, wrote for his resolution of some things, in which he desired direction; and one of these is 'Whether a man may marry his brother's wife?' (who in the language of that time was called his kinswoman.) The Pope answered negatively, and proved it by the law of Moses, and therefore defined, 'that if any of the English nation, who had married within that degree, were converted to the faith, he must be admonished to abstain from his wife, and to

The authorities of popes

look on such a marriage as a most grievous sin.' From which it appears, that that good Pope did judge it a thing, which by no means could be dispensed with, otherwise he had not pressed it so much under such circumstances: since in the first conversion of a nation to the Christian faith, the insisting too much upon it might have kept back many from receiving the Christian religion, who were otherwise well inclined to it. Calixtus,[a] Zacarias,[b] and Innocent the Third,[c] have plainly asserted the obligation of these precepts in the law of Moses, the last particularly, who treats about it with great vehemency: so that the apostolic see has already judged the matter.

[a] Ad omnes Galliæ episcopos
[b] 30 Quæst 3 Cap. Pitanum
[c] De Pres Cap cum in juventutem

"Several provincial councils have also declared the obligation of the precepts, about the degrees of marriage in Leviticus, by the council at Neocæsarea; 'If a woman had been married to two brothers, she was to be cast out of the communion of the church till her death, and the man that married his brother's wife, was to be anathematized,' which was also confirmed in a council held by Pope Gregory the Second. In the council of Agde, where the degrees that make a marriage incestuous are reckoned, this of marrying the brother's wife is one of them; and there it was decreed, 'That all marriages within these degrees were null, and the parties so contracting, were to be cast out of the communion of the church; and put among the catechumens, till they separated themselves from one another.' And in the second council of Toledo, the authority of the Mosaical prohibitions about the degrees of marriage is acknowledged. It was one of Wickliffe's errors, that the prohibition of marriage, within such degrees, was without any foundation in the law of God, for which, and other points, he was condemned, first in a convocation at London, then at Oxford; and last of all, at the general council of Constance these condemnations were confirmed. So formally had the church, in many provincial councils, and in one that was general, decided this matter.

And councils. Can. 2 Chap v.

Can 61

Chap v.

[a] And the Greek In xx Levit.

"Next to these, the opinions of the fathers were to be considered. In the Greek church Origen[a] first

had occasion to treat about it, writing on Leviticus; and Chrysostom[b] after him; but most fully St. Basil the Great,[c] who do expressly assert the obligations of these precepts. The last particularly, refuting at great length the opinion of some, who thought the marrying two sisters was not unlawful, lays it down as a foundation, That the laws in Leviticus about marriage were still in force. Hesychius, also, writing upon Leviticus, proves that these prohibitions were universally obligatory, because both the Egyptians and Canaanites are taxed for marrying within these degrees; from whence he infers, they are of moral and eternal obligation.

[b] Homil. 71, on xxii. Matt.
[c] Epist ad Diodor
On Levit. xviii and xx.

"From the Greek they went to the Latin fathers, and alleged, as was already observed, that Tertullian held the same opinion, and with him agreed the three great doctors of the Latin church, Ambrose,[a] Jerome,[b] and St. Austin,[c] who do plainly deliver the tradition of the church about the obligation of those laws, and answer the objections that were made, either from Abraham's marrying his sister, or from Jacob's marrying two sisters, or the law in Deuteronomy for the brother's marrying his brother's wife, if he died without children.

And the Latin fathers.
[a] Lib viii. Ep 66
[b] Cont Helvidium.
[c] Cont Faust chap 8, 9, 10, et Quæst 64. in Lev Ad. Bonifac Lib iii chap 4 Lib 15 de Civ Dei, chap 16.

"They observed, that the same doctrine was also taught by the fathers and doctors in the latter ages. Anselm[d] held it, and pleads much for marrying in remote degrees, and answers the objection from the decision in the case of the daughters of Zelophehad. Hugo Cardinalis,[e] Radulphus Flaviacensis, and Rupertus Tuitiensis, do agree, that these precepts are moral, and of perpetual obligation, as also Hugo de Sto. Victore. Hildebert,[f] bishop of Mans, being consulted in a case of the same nature with what is now controverted, plainly determines, That a man may not marry his brother's wife; and by many authorities shews, That by no means it can be allowed. And Ivo Carnotensis,[g] being desired to give his opinion in a case of the same circumstances, of a King marrying his brother's wife, says, 'Such a marriage is null, as inconsistent with the law of God, and that the King was

And of the modern writers.
[d] In Epist. ad Fratrem. On xviii. Lev
[e] Lev 2 de Sacram. p 2 chap 4 art 2
[f] Epist ad Archiepis Sag. Arch Rotomag et
[g] Epist 240

not to be admitted to the communion of the church, till he put away his wife, since there was no dispensing with the law of God, and no sacrifice could be offered for those that continued willingly in sin.' Passages also to the same purpose, are in other places of his Epistles.

The schoolmen

"From these doctors and fathers the inquiry descended to the schoolmen, who had with more niceness and subtilty examined things. They do all agree in asserting the obligation of these Levitical prohibitions. Thomas Aquinas does it in many places, and confirms it with many arguments. Altisiodorensis says, they are moral laws, and part of the law of nature. Petrus de Palude is of the same mind, and says, that a man's marrying his brother's wife was a dispensation granted by God, but could not be now allowed, because it was contrary to the law of nature. St. Antonine of Florence, Joannes de Turre Cremata, Joannes de Tabia, Jacobus de Lausania, and Astexanus, were also cited for the same opinion. And those who wrote against Wickliffe, namely, Wydeford,[a] Cotten,[b] and Waldensis,[c] charged him with heresy, for denying that those prohibitions did oblige Christians; and asserted that they were moral laws which obliged all mankind. And the books of Waldensis were approved by Pope Martin the First. There were also many quotations brought out of Petrus de Tarentasia, Durandus, Stephanus Brulifer, Richardus de Media Villa, Guido Briancon, Gerson, Paulus Ritius, and many others, to confirm the same opinion, who did all unanimously assert, That those laws in Leviticus are parts of the law of nature, which oblige all mankind, and that marriages contracted in these degrees are null and void. All the canonists were also of the same mind, Joannes Andreas, Joannes de Imola, Abbas Panormitanus, Matthæus Neru, Vincentius, Innocentius, and Ostiensis, all concluded that these laws were still in force, and could not be dispensed with.

2da 2dæ, Quæst. 154 art 9 In tertiam Quæst 64 art 5 In 4tam dist 40 Q 3 and 4

[a] Cont Wickl art 8
[b] De licitis et illicitis Conjugiis
[c] Lib de Sacram tom ii. c 134

And canonists

"There was also a great deal alleged to prove, that a marriage is completed by the marriage contract,

though it be never consummated. Many authorities were brought to prove that Adonijah could not marry Abishag, because she was his father's wife, though never known by him. And by the law of Moses, a woman espoused to a man, if she admitted another to her bed, was to be stoned as an adulteress; from whence it appears, that the validity of marriage is from the mutual covenant. And though Joseph never knew the blessed Virgin, yet he was so much her husband by the espousals, that he could not put her away, but by a bill of divorce: and was afterwards called her husband, and Christ's father. Affinity had been also defined by all writers, 'a relation arising out of marriage;' and since marriage was a sacrament of the church, its essence could only consist in the contract: and therefore, as a man in orders has the character, though he never consecrated any sacrament; so marriage is complete, though its effect never follows. And it was shewed that the canonists had only brought in the consummation of marriage as essential to it by ecclesiastical law: but that, as Adam and Eve were perfectly married before they knew one another, so marriage was complete upon the contract; and what followed was only an effect done in the right of the marriage. And there was a great deal of filthy stuff brought together of the different opinions of the canonists concerning consummation, to what degree it must go, to shew that it could not be essential to the marriage contract, which in modesty were suppressed. Both Hildebert of Mans, Ivo Carnotensis, and Hugo de Sto. Victore, had delivered this opinion, and proved it out of St. Chrysostom, Ambrose, Austin, and Isidore. Pope Nicholas, and the council of Tribur, defined, that marriage was completed by the consent, and the benediction: from all which they concluded, that although it could not be proved that Prince Arthur knew the Queen, yet that she being once lawfully married to him, the King could not afterwards marry her.

Marriage completed by consent.

"It was also said, that violent presumptions were sufficient, in the opinion of the canonists, to prove consummation. Formal proofs could not be expected;

Violent presumptions of the consummation

of Prince Arthur's marriage

and for persons that were of age, and in good health, to be in bed together, was in all trials about consummation all that the canonists sought for. And yet this was not all in this case; for it appeared that upon her husband's death, she was kept with great care by some ladies, who did think her with child; and she never said any thing against it. And in the petition offered to the Pope, in her name (repeated in the bull that was procured for the second marriage), it is said, she was '*perhaps* known by Prince Arthur;' and in the breve it is plainly said, she was known by Prince Arthur; and though the Queen offered to purge herself by oath, that Prince Arthur never knew her, it was proved by many authorities out of the canon law, That a party's oath ought not to be taken, when there were *violent presumptions* to the contrary.

The Pope's dispensation of no force

"As for the validity of the Pope's dispensation, it was said, That though the schoolmen and canonists did generally raise the Pope's power very high, and stretch it as far as it was possible; yet they all agreed that it could not reach the King's case; upon this received maxim, 'That only the laws of the church are subject to the Pope, and may be dispensed with by him; but that laws of God are above him, and that he cannot dispense with them in any case.' This Aquinas delivers in many places of his works. Petrus de Palude says, The Pope cannot dispense with marriage in these degrees, because it is against nature. But Joannes de Turre Cremata reports a singular case, which fell out when he was a Cardinal. A king of France desired a dispensation to marry his wife's sister. The matter was long considered of, and debated in the Rota, himself being there, and bearing a share in the debate; but it was concluded, 'That if any Pope, either out of ignorance, or being corrupted, had ever granted such a dispensation, that could be no precedent or warrant for doing the like any more, since the church ought to be governed by laws, and not by such examples.' Antonin, and Joannes de Tabia, held the same. And one Bacon, an Englishman, who had taught the contrary, was censured for it even at Rome, and he did re-

In quod lib Lib 4 art 13 et in 4tam dist 15 Q 3 art 2. Sup Cap Conjunctionis 35 Q 2 et 3

tract his opinion, and acknowledged, that the Pope could not dispense with the degrees of marriage forbidden by the law of God.

" The canonists, agree also to this; both Joannes Andreas, Joannes de Imola, and Abbas Panormitanus assert it, saying, That the precepts in Leviticus oblige for ever, and therefore cannot be dispensed with. And Panormitan says, 'These things are to be observed in practice, because great princes do often desire dispensations from popes.' Pope Alexander the Third would not suffer a citizen of Pavia to marry his younger son to the widow of his eldest son, though he had sworn to do it. For the Pope said, it was against the law of God, therefore it might not be done, and he was to repent of his unlawful oath.

Sup Cap. Literas de Rest Spon.

Cap ad Audien Spousal

" And for the power of dispensing even with the laws of the church by popes, it was brought in in the latter ages. All the fathers with one consent believed, That the laws of God could not be dispensed with by the church, for which many places were cited out of St. Cyprian, Basil, Ambrose, Isidore, Bernard, and Urban, Fabian, Marcellus, and Innocent, that were popes; besides an infinite number of later writers. And also the popes Zosimus, Damascus, Leo, and Hilarius did freely acknowledge they could not change the decrees of the church, nor go against the opinions or practices of the fathers. And since the apostles confessed 'they could do nothing against the truth, but for the truth;' the pope, being Christ's Vicar, cannot be supposed to have so great a power as to abrogate the law of God; and though it is acknowledged, that he is vested with a 'fulness of power,' yet the phrase must be restrained to the matter of it, which is the pastoral care of souls. And though there was no court superior to the pope's, yet as St. Paul had withstood St. Peter to his face, so in all ages, upon several occasions, holy bishops have refused to comply with, or submit to orders sent from Rome, when they thought the matter of them unlawful.

" Laurence, that succeeded Austin the monk in the see of Canterbury, having excommunicated King Ed-

Several bishops refuse to sub-

mit to the Pope's decrees Gul Malmesbur Lib i.

bald* for an incestuous marriage, would not absolve him, till he put away his wife; though the Pope plied him earnestly both by entreaties and threatenings, to let it alone, and absolve him. Dunstan did the like to Count Edwin for another incestuous marriage; nor did all the Pope's interposition make him give over. They found many other such instances, which occurred in the ecclesiastical history, of bishops proceeding by censures, and other methods, to stop the course of sin, notwithstanding any encouragement the parties had from popes.

"And it is certain, that every man, when he finds himself engaged in any course which is clearly sinful, ought presently to forsake it, according to the opinion of all divines. And therefore the King, upon these evidences of the unlawfulness of his marriage, ought to abstain from the Queen; and the Archbishop of Canterbury, with the other bishops, ought to require him to do it, otherwise they must proceed to church censures. Many things were also brought from reason (or at least the maxims of the school philosophy, which passed for true reason in those days,) to prove marriage in the degrees forbidden by Moses to be contrary to the law of nature; and much was alleged out of profane authors, to shew what an abhorrency some heathen nations had of incestuous marriages.

The authority of tradition.

"And whereas the chief strength of the arguments for the contrary opinion rested in this, That these laws of Moses were not confirmed by Christ or his apostles, in the New Testament: to that they answered, That if the laws about marriage were moral, as had been proved, then there was no need of a particular confirmation, since those words of our Saviour: 'I came not to destroy the law, but to fulfil it,' do confirm the whole moral law. Christ had also expressly asserted the relation of affinity, saying, 'That man and wife are one flesh.' St. Paul also condemned a match as incestuous for affinity. But

* He did not excommunicate Edbald, nor could he, Edbald being yet a heathen, but, upon his conversion, he put away his wife.—*Bed. Hist.* lib. 2. cap. 5, 6.

though it were not expressly set down in the gospel, yet the traditions of the church are received with equal authority to written verities. This the court of Rome, and all the learned writers for the catholic faith, lay down as a fundamental truth. And without it, how could the seven sacraments (some of which are not mentioned in the New Testament) with many other articles of catholic belief, be maintained against the heretics? The tradition of the church being so full and formal in this particular, must take place; and if any corruptions have been brought in by some popes within an age or two, which have never had any other authorities from the decrees of the church, or the opinions of learned men, they are not to be maintained in opposition to the evidence that is brought on the other side."

Thus I have summed up in as short and comprehensive words as I could, being the substance of what I gathered out of the printed books and manuscripts for the King's cause. But the fidelity of an historian leads me next to open the arguments that were brought against it, by those who wrote on the other side for the Queen's cause, to prove the validity of the marriage, and the pope's power of dispensing with a marriage in that degree of affinity.

I could never, by all the search I have made, see either MSS. or printed books that defended their cause, except Cajetan's and Victoria's* books, that are printed in their works. But from an answer that was written to the Bishop of Rochester's book, and from some other writings on the other side, I gather the substance of their arguments to have been what follows:

The arguments for the marriage.

"Cardinal Cajetan had by many arguments endeavoured to prove, that the prohibitions in Leviticus

* There was a book printed at Lunenburgh, anno 1532, dedicated to the Emperor's ambassador in England, Eustathius Chapnysius, &c. It was against the divorce, and charged very indirect practices on the other side, by monies and bribes, &c. Cochleus likewise wrote against the divorce, *ad Paulum Tertium*, but whether his book was printed before the year 1535, cannot be ascertained. [*Cochleus* was answered by Dr Morrison, to whom again he made a reply, under the following title (in French), "*Balai de Jean Cochlée, pour secouer les araignées de Morysin.*"—N.]

were not parts of the moral law. They were not observed before the law, no not by the holy seed. Adam's children married one another, Abraham married his sister, Jacob married two sisters, Judah gave his two sons to Tamar, and promised to give her the third for her husband. By the law of Moses, a dispensation was granted in one case, for marrying the brother's wife, which shews the law was not moral, otherwise it could not be dispensed with; and if Moses dispensed with it, why might not the Pope as well do it? nor was there any force in the places cited from the New Testament. As for that of Herod, both Josephus and Eusebius witness, that his brother Philip was alive when he took his wife, and so his sin was adultery, and not incest. We must also think that the incestuous person in Corinth took his father's wife when he was yet living; otherwise, if he had been dead, St. Paul could not say it was a 'fornication not named among the Gentiles:' for we not only find, both among the Persians and other nations, the marriage of step-mothers allowed, but even among the Jews, Adonijah desired Abishag in marriage, who had been his father's concubine."

From all which they concluded, "That the laws about the degrees of marriage were only judiciary precepts, and so there was no other obligation on Christians to obey them, than what flowed from the laws of the church, with which the Pope might dispense. They also said, that the law in Leviticus, of not taking the brother's wife, must be understood of not taking her while he was alive; for after he was dead, by another law, a man might marry his brother's wife.

"They also pleaded, that the Pope's power of dispensing did reach further than the laws of the church, even to the law of God; for he daily dispensed with the breaking of oaths and vows, though that was expressly contrary to the second commandment; and though the fifth command, 'Thou shalt do no murder,' be against killing, yet the Pope dispensed with the putting thieves to death and in some cases, where

the reason of the commandment does not at all times hold, he is the only judge, according to *Summa Angelica*. They concluded the Pope's power of dispensing was as necessary as his power of expounding the Scriptures; and since there was a question made concerning the obligation of these Levitical prohibitions, whether they were moral, and did oblige Christians, or not, the Pope must be the only judge. There were also some late precedents found, one of P. Martin, who in the case of a man's having married his own sister,* who had lived long with her, upon a consultation with divines and lawyers, confirmed it; to prevent the scandal which the dissolving of it would have given. Upon which St. Antonin of Florence says, that since the thing was dispensed with, it was to be referred to the judgment of God, and not to be condemned.

"The Pope had granted this dispensation, upon a very weighty consideration, to keep peace between two great crowns: it had now stood above twenty years: it would therefore raise a high scandal to bring it under debate; besides that it would do much hurt, and bring the titles to most crowns into controversy.

"But they concluded, that whatever informalities or nullities were pretended to be in the bulls or breves, the pope was the only competent judge of it; and that it was too high a presumption for inferior prelates, to take upon them to examine or discuss it."

The answers made to these

But to these arguments it was answered by the writers for the King's cause, "that it was strange to see men, who pretended to be such enemies to all heretical novelties, yet be guilty of that, which catholic doctors hold to be the foundation of all heresy; which was, the setting up of private senses of Scripture, and reasonings from them, against the doctrine and tradition of the church. It was fully made out, that the fathers and doctors of the church did universally agree in this, that the Levitical prohibitions

* Not his own sister, but his wife's sister. *Antonin. Flor.* Part. 3. tit. 1. cap. 11.

of the degrees of marriage are moral, and do oblige all Christians. Against this authority, Cajetan was the first that presumed to write, opposing his private conceits to the tradition of the church: which is the same thing for which Luther and his followers are so severely condemned. May it not then be justly said of such men, that they plead much for tradition when it makes for them, but reject it when it is against them? Therefore all these exceptions are overthrown, with this one maxim of catholic doctrine, 'That they are novelties against the constant tradition of the Christian church in all ages.' But if the force of them be also examined, they will be found as weak as they are new. That before the law these degrees were not observed, proves only, that they are not evidently contrary to the common sense of all men; but as there are some moral precepts, which have that natural evidence in them, that all men must discern it, so there are others, that are drawn from public inconvenience and dishonesty, which are also parts of the law of nature. These prohibitions are not of the first, but of the second sort, since the immorality of them appears in this, that the familiarities and freedoms among near relations are such, that if a horror were not struck in men at conjunctures in these degrees, families would be much defiled. This is the foundation of the prohibitions of marriages in these degrees; therefore it is not strange if men did not apprehend it, before God made a law concerning it. Therefore all examples before the law, shew only the thing is not so evident, as to be easily collected by the light of nature. And for the story of Judah and Tamar, there is so much wickedness in all the parts of it, that it will be very hard to make a precedent out of any part of it. As for the provision about marrying the brother's wife, that only proves, the ground of the law is not of its own nature immutable, but may be dispensed with by God in some cases. And all these moral laws, that are founded on public conveniency and honesty, are dispensable by God in some cases; but because Moses did it by divine

revelation, it does not follow, that the Pope can do it by his ordinary authority.

"For that about Herod, it is not clear from Josephus that Philip was alive when Herod married his wife. For all that Josephus says is, that she separated from her husband, when he was yet alive, and divorced herself from him. But he does not say, that he lived still after she married his brother. And by the law of divorce marriage was at an end, and broken by it as much as if the party had been dead; so that in that case she might have married any other: therefore Herod's sin in taking her was from the relation of having been his brother's wife. And for the incestuous person in Corinth, it is as certain that though some few instances, of a king of Syria, and some others, may be brought of sons marrying their step-mothers, yet these things were generally ill looked on, even where they were practised by some princes, who made their pleasure their law. Nor could the laws of Leviticus be understood of not marrying the brother's wife when he was alive; for it was not lawful to take any man's wife from him living; therefore that cannot be the meaning. And all those prohibitions of marriage in other degrees, excluding those marriages simply, whether during the life, or after the death of the father, son, uncle, and other such relations, there is no ground to disjoint this so much from the rest, as to make it only extend to a marriage before the husband's death. And for any precedents that were brought, they were all in the latter ages, and were never confirmed by any public authority. Nor must the practices of latter popes be laid in the balance against the decisions of former popes, and the doctrine of the whole church; and as to the power that was ascribed to the pope, that began now to be inquired into with great freedom, as shall appear afterwards." Hall.

1531 The Queen still intractable.

These reasons on both sides being thus opened, the censures of them, it is like, will be as different now, as they were then; for they prevailed very little on the Queen, who still persisted to justify her marriage,

Hall

and to stand to her appeal. And though the King carried it very kindly to her in all outward appearance, and employed every body that had credit with her, to bring her to submit to him, and to pass from her appeal, remitting the decision of the matter to any four prelates, and four secular men in England, she was still unmoveable, and would hearken to no proposition. In the judgments that people passed, the sexes were divided; the men generally approved the King's cause, and the women favoured the Queen. But now the session of parliament came on the 16th of January, and there the King first brought into the House of Lords the determination of the Universities, and the books that were written for his cause by foreigners. After they were read and considered there, the Lord Chancellor did on the 20th of March, with twelve lords both of the spirituality and temporality, go down to the House of Commons, and shewed them what the Universities and learned men beyond sea had written for the divorce, and produced twelve original papers, with the seals of the Universities to them, which Sir Brian Tuke took out of his hand, and read openly in the House, translating the Latin into English. Then about a hundred books written by foreign divines for the divorce, were also shewed them; none of which were read, but put off to another time, it being late. When that was done, the Lord Chancellor desired they would report in their countries, "what they had heard and seen, and then all men should clearly perceive, that the King hath not attempted this matter of will and pleasure, as strangers say, but only for the discharge of his conscience, and the security of the succession to the crown." Having said that, he left the House. The matter was also brought before the convocation; and they having weighed all that was said on both sides, seemed satisfied that the marriage was unlawful, and that the bull was of no force; more not being required at that time.

A session of parliament.

More.

Convocation.

The whole clergy sued in a præmunire

But it is not strange, that this matter went so easily in the convocation, when another of far greater consequence passed there, which will require a full and

distinct account. Cardinal Wolsey, by exercising his legantine authority, had fallen into a premunire, as hath been already shewn; and now those who had appeared in his courts, and had suits there, were found to be likewise in the same guilt by the law; and this matter, being excepted out of the pardon that was granted in the former parliament, was at this time set on foot: therefore an indictment was brought into the King's Bench, against all the clergy of England, for breaking the statutes against provisions or provisors. But to open this more clearly,

The prerogative of the kings of England in ecclesiastical affairs

It is to be considered, that the kings of England having claimed in all ages a power in ecclesiastical matters, equal to what the Roman emperors had in that empire, they exercised this authority both over the clergy and laity; and did at first erect bishopricks, grant investitures in them, call synods, make laws, about sacred as well as civil concerns; and, in a word, they governed their whole kingdom. Yet when the bishops of Rome did stretch their power beyond either the limits of it in the primitive church, or what was afterwards granted them by the Roman emperors, and came to assume an authority in all the churches of Europe; as they found some resistance every where, so they met with a great deal in this kingdom; and it was with much difficulty, that they gained the power of giving investitures, receiving appeals to Rome, and of sending legates to England, with several other things, which were long contested, but were delivered up at length, either by feeble princes, or when kings were so engaged at home or abroad, that it was not safe for them to offend the clergy. For in the first contest between the kings and the popes, the clergy were generally on the popes' side, because of the immunity and protection they enjoyed from that see; but when popes became ambitious and warlike princes, then new projects and taxes were every where set on foot, to raise a great treasure. The pall, with many bulls and high compositions for them, annates, or first-fruits and tenths, were the standing taxes of the clergy, besides many

The encroachment of the papacy.

new ones upon emergent occasions. So that they, finding themselves thus oppressed by the popes, fled again back to the crown for protection, which their predecessors had abandoned.

Matt. Paris. The laws made against them.

From the days of Edward the First, many statutes were made to restrain the exactions of Rome. For then the popes, not satisfied with their other oppressions, (which a monk of that time lays open fully, and from a deep sense of them) did by provisions, bulls, and other arts of that see, dispose of bishopricks, abbeys, and lesser benefices, to foreigners, cardinals, and others that did not live in England. Upon which the commonalty of the realm, did represent to the King in parliament, "That the bishopricks, abbeys, and other benefices were founded by the kings and people of England to inform the people of the law of God, and to make hospitality, alms, and other works of charity, for which end they were endowed by the King and people of England; and that the King, and his other subjects who endowed them, had upon voidances the presentment and collations of them, which now the Pope had usurped and given to aliens, by which the crown would be disinherited, and the ends of their endowments destroyed, with other great inconveniences." Therefore it was ordained, "that these oppressions should not be suffered in any manner." But, notwithstanding this, the abuse went on, and there was no effectual way laid down in the act to punish these transgressions. The court of Rome was not so easily driven out of any thing that either increased their power or their profits; therefore, by another act in his grandchild Edward the Third's time, the Commons complained, "that these abuses did abound, and that the Pope did daily reserve to his collation church preferments in England, and raised the first-fruits, with other great profits, by which the treasure of the realm was carried out of it, and many clerks, advanced in the realm, were put out of their benefices, by those provisors; therefore the King, being bound by oath to see the laws kept, did, with the assent of all the great men and the commonalty of

25 Edw I repealed in the statute of provisors. 25 Edw III

25 Edw III statute of provisors

the realm, ordain, That the free elections, presentments, and collations of benefices, should stand in the right of the crown, or of any of his subjects, as they had formerly enjoyed them, notwithstanding any provisions from Rome. And if any did disturb the incumbents by virtue of such provisions, those provisors, or others employed by them, were to be put in prison, till they made fine and ransom to the King at his will; or if they could not be apprehended, writs were to be issued out to seize them, and all benefices possessed by them were to fall into the King's hands, except they were abbeys or priories, that fell to the canons or colleges." By another act "the provisors, were put out of the King's protection, and if any man offended against them, in person or goods, he was excused, and was never to be impeached for it." And two years after that, upon another complaint of their suing the King's subjects in other courts, or beyond sea, it was ordained, "that any who sued, either beyond sea, or in any other court, for things that had been sued, and about which judgment had been given in former times, in the King's courts, were to be cited to answer for it in the King's courts within two months; and if they came not, they were to be put out of the King's protection, and to forfeit their lands, goods, and chattels to the King, and to be imprisoned and ransomed at the King's will." Both these statutes received a new confirmation eleven years after that. But those statutes proved ineffectual; and in the beginning of the reign of Richard the Second, the former acts were confirmed by another statute, and appointed to be executed: and not only the provisors themselves, but all such as took procuratories, letters of attorneys, or farms from them, were involved in the same guilt. And in the seventh year of that King, provisions were made against aliens having benefices without the King's license, and the King promised to abstain from granting them licenses: for this was another artifice of the Roman court, to get the King of their side, by accepting his license, which by this act was restrained. This failing, they

27 Edw. III cap 1.

38 Edw III cap 1

3 Rich II cap 3

betook themselves to another course, which was, to prevail with the incumbents that were presented in England according to law, to take provisions for their benefices from Rome, to confirm their titles. This was also forbidden under the former pains. As for the rights of presentations, by the law they were tried and judged in the King's courts; and the bishops were to give institution according to the title declared in these judgments. This the popes had a mind to draw to themselves, and to have all titles to advowsons tried in their courts; and bishops were excommunicated, who proceeded in this matter according to the law. Of which great complaint was made in the sixteenth year of the reign of Richard the Second. And it was added to that, that the Pope intended to make many translations of bishops, some to be within, and some out of the realm, which, among other inconveniences reckoned in the statute, would produce this effect, "That the crown of England, which had been so free at all times, should be subjected to the Bishop of Rome, and the laws and statutes of the realm by him defeated and destroyed at his will. They also found those things to be against the King's crown and regality, used and approved in the time of his progenitors. Therefore all the Commons resolved to live and die with him and his crown; and they required him by way of justice, to examine all the lords, spiritual and temporal, what they thought of those things, and whether they would be with the crown to uphold the regality of it? To which all the temporal lords answered, they would be with the crown. But the spiritual lords being asked, said, they would neither deny nor affirm that the Bishop of Rome might, or might not, excommunicate bishops, or make translations of prelates: but upon that protestation, (they said,) that if such things were done, they thought it was against the crown, and said, they would be with the King, as they were bound by their legeance." Whereupon it was ordained, "that if any did purchase translations, sentences of excommunications, bulls, or other instruments from the court of

12 Rich. II cap 15.

16 Rich II cap 5

Rome, against the King or his crown; or whosoever brought them to England, or did receive, or execute them; they were out of the King's protection, and that they should forfeit their goods and chattels to the King, and their persons should be imprisoned." And because the proceedings were to be put upon a writ, called from the most material words of it, *præmunire facies*, this was called the "statute of premunire."

When Henry the Fourth had treasonably usurped the crown, all the bishops (Carlisle only excepted) did assist him in it, and he did very gratefully oblige them again in other things; yet he kept up the force of the former statutes. For the Cistercian order having procured bulls, discharging them of paying tithes, and forbidding them to let their farms to any, but to possess them themselves: this was complained of in parliament in the second year of his reign, "and those bulls were declared to be of no force; and if any did put them in execution, or procured other such bulls, they were to be proceeded against, upon the statutes made in the thirteenth year of the former King's reign against provisors." But all this while, though they made laws for the future, yet they had not the courage to put them in execution. And this feebleness in the government made them so much despised, and so oft broken; whereas the severe execution of one law in one instance would more effectually have prevented the mischief, than all these laws did without execution. In the sixth year of his reign, complaints being made of the excessive rates of compositions for archbishopricks and bishopricks in the Pope's chamber, which were raised to the treble of what had been formerly paid; it was enacted, "that they should pay no more than had been formerly wont to be paid." In the seventh year of his reign, the statute made in the second year was confirmed; and by another act, "the licenses which the King had granted for the executing any of the Pope's bulls are declared of no force to prejudice any incumbent in his right." Yet the abuses and encroachments of the court of Rome still increasing, all former statutes against provisors were con-

2 Henry IV. cap 4

6 Henry IV cap. 1

7 Henry IV cap 8

firmed again, and all elections declared free, and not to be interrupted, either by the Pope or the King: but at the same time, the King pardoned all the former transgressions against these statutes. By those pardons the court of Rome was more encouraged than terrified by the laws; therefore there was a necessity of making another law in the reign of Henry the Fifth, against provisors, "that the incumbents lawfully invested in their livings should not be molested by them, though they had the King's pardon: and both bulls and licenses were declared void and of no value; and those who did upon such grounds molest them, should incur the pains of the statutes against provisors."

17 Henry IV. cap 8.

4 Henry V. cap. 4.

Our kings took the best opportunity that ever could have been found to depress the papal power; for from the beginning of Richard the Second's reign, till the fourth year of Henry the Fifth, the popedom was broken by a long and great schism; and the kingdoms of Europe were divided in their obedience: some holding for those that sate at Rome, and others for the popes of Avignon: England, in opposition to France, that chiefly supported the Avignon popes, did adhere to the Roman popes. The papacy being thus divided, the popes were as much at the mercy of kings for their protection, as kings had formerly been at their's; so that they durst not thunder as they were wont to do; otherwise this kingdom had certainly been put under excommunications and interdicts for these statutes, as had been done formerly upon less provocations.

But now that the schism was healed, Pope Martin the Fifth began to reassume the spirit of his predecessors, and sent over threatening messages to England, in the beginning of Henry the Sixth's reign. None of our books have taken any notice of this piece of our history: the manuscript out of which I draw it has been written near that time, and contains many of the letters that passed between Rome and England, upon this occasion.

Ex MSS. D Petyt.

The first letter is to Henry Chichely, then archbishop of Canterbury, who had been promoted to that see by the Pope, but had made no opposition to the

Reg Chichel. fol. 99.

statute against provisions in the fourth year of Henry the Fifth; and afterwards, in the eighth year of his reign, when the Pope had granted a provision of the archbishoprick of York to the Bishop of Lincoln, the chapter of York rejected it, and, pursuant to the former statute, made a canonical election. Henry the Fifth being then the greatest king in Christendom, the Pope durst not offend him. so the law took place, without any further contradiction, till the sixth year of his son's reign, that England was both under an infant King, and had fallen from its former greatness: therefore, the Pope, who waited for a good conjuncture, laid hold on this, and first expostulated severely with the Archbishop for his remissness, that he had not stood up more for the right of St. Peter and the see of Rome, that had bestowed on him the primacy of England; and then says many things against the statute of premunire, and exhorts him to imitate the example of his predecessor, St. Thomas of Canterbury, the martyr, in asserting the rights of the church; requiring him, under the pain of excommunication, to declare at the next parliament to both Houses, the unlawfulness of that statute. and that all were under excommunication who obeyed it. But to make sure work among the people, he also commands him to give orders, under the same pains, that all the clergy of England should preach the same doctrine to the people. This bears date the 5th day of December, 1426, and will be found in the Collection of Papers. Collect Numb 17

But it seems the Pope was not satisfied with his answer; for the next letter in that MS. is yet more severe, and in it his legantine power is suspended. It has no date added to it, but the paper that follows, bearing date the 6th of April, 1427, leads us pretty near the date of it. It contains an appeal of the Archbishop's from the Pope's sentence, to the next general council; or, if none met, to the tribunal of God and Jesus Christ.

There is also another letter, dated the 6th of May, directed to the Archbishop, and makes mention of letters written to the whole clergy to the same purpose, requiring him to use all his endeavours for repealing

the statute, and chides him severely because he had said, "that the Pope's zeal in this matter was only, that he might raise much money out of England;" which he resents as a high injury, and protests that he designed only to maintain these rights that Christ himself had granted to his see, which the holy fathers, the councils, and the catholic church has always acknowledged. If this does not look like teaching *ex cathedra*, it is left to the reader's judgment.

But the next letter is of a higher strain. It is directed to the two Archbishops only; and, it seems, in despite to Chichely, the Archbishop of York is named before Canterbury. By it the Pope annuls the statutes made by Edward the Third and Richard the Second, and commands them to do no act in pursuance of them: and declares, if they, or any other, gave obedience to them, they were *ipso facto* excommunicated, and not to be relaxed, unless at the point of death, by any but the Pope. He charges them also to intimate that his monitory letter to the whole nation, and cause it to be affixed in the several places, where there might be occasion for it. This is dated the 8th of December, the tenth year of his popedom. Then follow letters from the University of Oxford, the Archbishop of York, the Bishops of London, Duresme, and Lincoln, to the Pope; all to mitigate his displeasure against the Archbishop of Canterbury, in which they gave him the highest testimony possible, bearing date the 10th and the 25th day of July. These the Archbishop sent by an express to Rome, and wrote the humblest submission possible to the Pope; protesting that he had done, and would do, all that was in his power for repealing these statutes. One thing in this letter is remarkable: he says, "He hears the Pope had proceeded to a sentence against him, which had never been done from the days of St. Austin to that time: but he knew that only by report, for he had not opened, much less read, the bulls in which it was contained; being commanded by the King, to bring them with the seals entire, and lay them up in the paper-office till the parliament was brought together."

There are two other letters to the King, and one to the parliament, for the repeal of the statute. In those to the King the Pope writes, that he had often pressed both King and parliament to it; and that the King had answered, that he could not repeal it without the parliament. But he excepts to that, as a delaying the business, and shews it is of itself unlawful, and that the King was under excommunication as long as he kept it: therefore he expects that, at the furthest, in the next parliament it should be repealed. It bears date the 13th of October, in the tenth year of his popedom. In his letter to the parliament he tells them, that no man can be saved who is for the observation of that statute; therefore he requires them, under pain of damnation, to repeal it, and offers to secure them from any abuses which might have crept in formerly with these provisions. This is dated the 3d of October, *decimo pontificat*. but I believe it is an error of the transcriber, and that its true date was the 13th of October.

And to the King and parliament. Collect. Numb. 38.

Collect. Numb 39.

The parliament sate in January 1427, being the 6th year of King Henry the Sixth; during which, on the 30th of January, the Archbishop of Canterbury, accompanied by the Archbishop of York, the Bishops of London, St. David's, Ely, and Norwich, and the Abbots of Westminster and Reading, went from the House of Lords to the place where the House of Commons ordinarily sate, which was the refectory of the abbey of Westminster, where the Archbishop made a long speech, in the form of a sermon, upon that text, "Render to Cæsar the things that are Cæsar's, and to God the things that are God's." He began with a protestation, that he and his brethren intended not to say any thing that might derogate from the King, the crown, or the people of England. Then he alleged many things for the Pope's power in granting provisions, to prove it was of Divine right, and admonished and required them to give the Pope satisfaction in it, otherwise he laid out to them with tears what mischief might follow, if he proceeded to censures; which will appear more fully from the instru-

ment that will be found in the Collection at the end.

But to no purpose Collect. Numb. 40.

But it seems the parliament would do nothing for all this; for no act, neither of repeal nor explanation, was passed.

Yet it appears the Pope was satisfied with the Archbishop's carriage in this matter, for he soon after restored him to the exercise of his legantine power, as Godwin has it; only he, by a mistake, says, he was made legate anno 1428, whereas it was only a restitution after a censure.

The clergy excuse themselves.

Thus stood the law of England in that matter, which was neither repealed nor well executed; for the Pope's usurpations still increasing, those statutes lay dead among the records, and several cardinals had procured and executed a legantine power, which was clearly contrary to them. And as Cardinal Wolsey was already brought under the lash for it, so it was now made use of, partly to give the court of Rome apprehensions of what they were to expect from the King, if they went on to use him ill; and partly to proceed severely against all those of the clergy who adhered obstinately to the interests of that court, and to make the rest compound the matter, both by a full submission and a considerable subsidy. It was in vain to pretend, it was a public and allowed error, and that the King had not only connived at the Cardinal's proceedings, but had made him all that while his chief minister: that, therefore, they were excusable in submitting to an authority to which the King gave so great encouragement; and that if they had done otherwise they had been unavoidably ruined. For to all this it was answered, that the laws were still in force, and that their ignorance could not excuse them, since they ought to have known the law; yet since the violation of it was so public, though the court proceeded to a sentence, that they were all out of the King's protection, and were liable to the pains of the statutes; the King was willing, upon a reasonable composition, and a full submission, to pardon them

Yet they compound

So, in the convocation of Canterbury, a petition was brought in to be offered to the King. In the King's

title, he was called, "The protector and supreme head of the church and the clergy of England." To this some opposition was made, and it was put off to another day; but, by the interposition of Cromwell, and others of the King's council, who came to the convocation and used arguments to persuade them to it, they were prevailed with to pass it with that title, at least none speaking against it: for when Warham, archbishop of Canterbury, said, "That silence was to be taken for consent," one cried out, "they were then all silent;" yet it was moved by some to add these words to the title, "in so far as is lawful by the law of Christ." But Parker says, the King disliked that clause, since it left his power still disputable, therefore it was cast out, and the petition passed simply as it was first brought in. Yet in that he was certainly misinformed, for when the convocation of York demurred about the same petition, and sent their reasons to the King, why they could not acknowledge him supreme head, which (as appears by the King's answer to them) were chiefly founded on this, that the term *head* was improper, and did not agree to any under Christ; the King wrote a long and sharp answer to them, and shewed them, that words were not always to be understood in their strict sense, but according to the common acceptation. And among other things, he shewed what an explanation was made in the convocation of Canterbury, that it was "in so far as was agreeable to the law of Christ;" by which it appears, that at that time the King was satisfied to have it pass any way, and so it was agreed to by nine bishops (the Bishop of Rochester being one) and sixty-two abbots and priors, and the major part of the lower House of Convocation in the province of Canterbury. Of which number it is very probable Reginald Pool was, for in his book to the King he says, he was then in England; and adds, that the King would not accept of the sum the clergy offered, unless they acknowledged him supreme head. he being then Dean of Exeter, was of the lower House of Convocation; and it is not

And acknowledge the King supreme head of the church of England. L. Herbert.

Antiquit Britannicæ in vita Warham

Printed in the Cabala

likely the King would have continued the pensions and other church preferments he had, if he had refused to sign that petition and submission. By it they prayed the King to accept 100,000*l.* in lieu of all punishments which they had incurred by going against the statutes of provisors, and did promise for the future, neither to make nor execute any constitution without the King's license; upon which he granted them a general pardon: and the convocation of the province of York offering 18,840*l.* with another submission of the same nature afterwards, though that met with more opposition, they were also pardoned.

The Commons desire to be included in the King's pardon Hall.

When the King's pardon for the clergy was brought into the House of Commons, they were much troubled to find themselves not included within it; for by the statutes of *provisors* many of them were also liable, and they apprehended that either they might be brought in trouble, or at least it might be made use of to draw a subsidy from them: so they sent their Speaker, with some of their members, to represent to the King, the great grief of his commons to find themselves out of his favour, which they concluded from the pardon of the pains of *premunire* to his spiritual subjects, in which they were not included; and therefore prayed the King that they might be comprehended within it. But the King answered them, that they must not restrain his mercy, nor yet force it: it was free to him either to execute or mitigate the severity of the law: that he might well grant his pardon by his great seal without their assent, but he would be well advised before he pardoned them, because he would not seem to be compelled to it. So they went away, and the House was in some trouble: many blamed Cromwell, who was growing in favour, for this rough answer; yet the King's pardon was passed.

Which the King afterwards grants.

But his other concerns made him judge it very unfit to send away his parliament discontented; and since he was so easy to them as to ask no subsidy, he had no mind to offend them; and therefore, when the

thing was over, and they out of hopes of it, he, of his own accord, sent another pardon to all his temporal subjects of their transgressions of the statutes of *provisors* and *premunire;* which they received with great joy, and acknowledged there was a just temperature of majesty and clemency in the King's proceedings.

During this session of parliament, an unheard-of crime was committed by one Richard Rouse, a cook, who, on the 16th of February, poisoned a vessel of yeast, that was to be used in porridge in the Bishop of Rochester's kitchen, with which seventeen persons of his family were mortally infected, and one of the gentlemen died of it; and some poor people, that were charitably fed with the remainder of it, were also infected, one woman dying. The person was apprehended, and by act of parliament poisoning was declared treason, and Rouse was attainted, and sentenced to be boiled to death, which was to be the punishment of poisoning for all times to come, that the terror of this unheard-of punishment might strike a horror in all persons at such an unexampled crime. And the sentence was executed in Smithfield soon after.

One tainted for poisoning.

22 Hen. VIII Act 16

Hall

Of this I take notice the rather because of Sanders's malice, who says, this Rouse was set on by Anne Boleyn, to make away the Bishop of Rochester, of which there is nothing on record, nor does any writer of that time so much as insinuate it. But persons that are set on to commit such crimes are usually either conveyed out of the way, or secretly dispatched, that they may not be brought to an open trial. And it is not to be imagined, that a man that was employed by them that might have preferred him, and found himself given up and adjudged to such a death, would not have published their names who set him on, to have lessened his own guilt, by casting the load upon them that had both employed and deserted him. But this must pass among the many other vile calumnies of which Sanders has been the inventor, or publisher, and for which he has already answered to his Judge.

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L. Herbert.

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When the session of parliament was over, the King

L. Herbert.

continued to ply the Queen, with all the applications he could think of, to depart from her appeal. He grew very melancholy, and used no sort of diversion, but was observed to be very pensive. Yet nothing could prevail with the Queen. She answered the lords of the council, when they pressed her much to it, "That she prayed God to send the King a quiet conscience, but that she was his lawful wife, and would abide by it, till the court of Rome declared the contrary." Upon which the King forbore to see her, or to receive any tokens from her, and sent her word, to choose where she had a mind to live, in any of his manors. She answered, that to which place soever she was removed, "nothing could remove her from being his wife." Upon this answer the King left her at Windsor, the 14th of July, and never saw her more. She removed first to Moor, then to Easthamstead, and at last to Ampthill, where she stayed longer.

The King leaves the Queen

A disorder among the clergy at London about the subsidy Hall

The clergy went now about the raising of the hundred thousand pounds, which they were to pay in five years; and, to make it easier to themselves, the prelates had a great mind to draw in the inferior clergy to bear a part of the burden. The Bishop of London called a meeting of some priests about London, on the 1st of September, to the Chapter-house at St. Paul's. He designed to have had at first only a small number, among whom he hoped it would easily pass, and that being done by a few, others would more willingly follow. But the matter was not so secretly carried, but that all the clergy about the city hearing of it, went thither. They were not a little encouraged by many of the laity, who thought it no unpleasant diversion to see the clergy fall out among themselves. So when they came to the Chapter-house on the day appointed, the Bishop's officers would only admit some few to enter; but the rest forced the door and rushed in, and the Bishop's servants were beaten and ill used. But the Bishop, seeing the tumult was such that it could not be easily quieted, told them all, "That as the state of men in this life was frail, so the clergy, through frailty and want of wisdom, had misdemeaned them-

selves towards the King, and had fallen in a premunire, for which the King of his great clemency was pleased to pardon them, and to accept of a little, instead of the whole of their benefices, which by the law, had fallen into his hand: therefore he desired they would patiently bear their share in this burden." But they answered, they had never meddled with any of the Cardinal's faculties, and so had not fallen in the premunire; and that their livings were so small, that they could hardly subsist by them. Therefore, since the bishops and abbots were only guilty, and had good preferments, they only ought to be punished and pay the tax; but that for themselves they needed not the King's pardon, and so would pay nothing for it. Upon which the Bishop's officers threatened them; but they on the other hand (being encouraged by some laymen that came along with them) persisted in the denial to pay any thing; so that from high words the matter came to blows, and several of the Bishop's servants were ill handled by them. But he, to prevent a further tumult, apprehending it might end upon himself, gave them good words, and dismissed the meeting with his blessing, and promised that nothing should be brought in question that was then done. Yet he was not so good as his word, for he complained of it to the Lord Chancellor, who was always a great favourer of the clergy; by whose order fifteen priests and five laymen were committed to several prisons; but whether the inferior clergy paid their proportion of the tax, or not, I have not been able to discover.

The Pope falls off to the French faction.

This year the state of affairs beyond sea changed very considerably. The Pope expected not only to recover Florence to his family, by the Emperor's means, but also to wrest Modena and Reggio from the Duke of Ferrara, to which he pretended, as being fiefs of the papacy; and the Emperor had engaged by the former treaty to restore them to him. But now that the Pope's pretensions were appointed to be examined by some judges delegated by the Emperor, they determined against the Pope, for the Duke of Ferrara; which so disgusted the Pope, that he fell totally from

the Emperor, and did unite with the King of France, a match being also projected between the Duke of Orleans (afterwards Henry II.) and his niece Catharine de Medici; which did work much on the Pope's ambition, to have his family allied to so mighty a monarch. So that now he became wholly French.

A match projected between the Pope's niece and the Duke of Orleans

The French King was also, on account of this marriage, to resign all the pretensions he had to any territory in Italy to his younger son; which, as it would give less umbrage to the other princes of Italy, who liked rather to have a King's younger son among them, than either the Emperor, or the French King: so the Pope was wonderfully pleased to raise another great prince in Italy out of his own family. On these grounds was the match at this time designed, which afterwards took effect; but with this difference, that by the Dauphin's death the Duke of Orleans became King of France, and his Queen made the greatest figure that any Queen of France had done for many ages.

This change in the Pope's mind might have produced another in the King's affairs, if he had not already gone so far, that he was less in fear of the Pope than formerly. He found the credit of his clergy was so low, that to preserve themselves from the contempt and fury of the people, they were forced to depend wholly on the crown. For Lutheranism was then making a great progress in England, of which I shall say nothing here, being resolved at the end of this book to give an account of the whole course of it in those years that fall within this time. But what by the means of the new preachers, what by the scandals cast on the clergy, they were all at the King's mercy; so he did not fear much from them, especially in the southern parts, which were the richest and best peopled: therefore the King went on resolutely. The Pope on the other hand was in great perplexity; he saw England ready to be lost, and knew not what to do to rescue or preserve it. If he gave way to what was lately done in the business of the premunire, he must thereby lose the greatest advantages he drew from

that nation; and it was not likely, that after the King had gone so far, he would undo what was done.

The Emperor was more remiss in prosecuting the Queen's appeal at Rome; for at that time the Turk, with a most numerous and powerful army, was making an impression on Hungary, (which to the great scandal of the most Christian King was imputed to his counsels and presents at the Porte,) and all the Emperor's thoughts were taken up with this. Therefore, as he gave the Protestant princes of Germany some present satisfaction in religion and other matters; so he sent over to England, and desired the King's assistance against that vast army of three hundred thousand men that was falling in upon Christendom. To this the King made a general answer, that gave some hopes of assisting him. But at the same time, the Protestant princes, resolving to draw some advantage from that conjuncture of affairs, and being courted by the French King, entered into a league with him for the defence of the rights of the empire. And to make this firmer, the King was invited by the French King to join in it; to which he consented, and sent over to France a sum of money to be employed for the safety of the empire. And this provoked the Emperor to renew his endeavours in the court of Rome for prosecuting the Queen's appeal.

The Emperor is engaged in a war with the Turk.

The French King encouraged the King to go on with his divorce, that he might totally alienate him from the Emperor. The French writers also add another consideration, which seems unworthy of so great a King, that he himself, being at that time so public a courtier for ladies, was not ill pleased to set forward a thing of that nature. "But though princes allow themselves their pleasures, yet they seldom govern their affairs by such maxims."

1532. In the beginning of the next year a new session of parliament was held, in which the House of Commons went on to complain of many other grievances they lay under from the clergy, which they put in a writing, and presented it to the King. In it they complained of the proceedings in the spiritual courts,

The parliament complains of the ecclesiastical courts.

and especially their calling men before them, *ex officio*, and laying articles to their charge without any accuser; and then admitting no purgation, but causing the party accused, either to abjure, or to be burnt; which they found very grievous and intolerable. This was occasioned by some violent proceedings against some reputed heretics, of which an account shall be given afterwards. But those complaints were stifled, and great misunderstandings arose between the King and the House of Commons upon this following occasion.

Hall.

But reject a bill about wards.

There was a common practice in England of men's making such settlements of their estates by their last wills, or other deeds, that the King and some great lords were thereby defrauded of the advantages they made by *wards*, *marriages*, and *primer seasin*. For regulating which, a bill was brought in to the House of Peers, and assented to there, but when it was sent down to the House of Commons, it was rejected by them, and they would neither pass the bill, nor any other qualification of that abuse. This gave the King great offence; and the House, when they addressed to him about the proceedings of the clergy, also prayed, "That he would consider what cost, charge, and pains they had been at since the beginning of the parliament, and that it would please his Grace of his princely benignity to dissolve his court of parliament, and that his subjects might return into their countries." To which the King answered, "That for their complaints of the clergy, he must hear them also before he could give judgment, since in justice he ought to hear both parties; but that their desiring the redress of all such abuses, was contrary to the other part of their petition; for if the parliament were dissolved, how could those things they complained of be amended? And as they complained of their long attendance, so the King had stayed as long as they had done, and yet he had still patience, and so they must have, otherwise their grievances would be without redress. But he did expostulate severely upon their rejecting

The Commons petition that they may be dissolved

The King's answer

the bill about the deeds in prejudice of the rights of the crown. He said, he had offered them a great mitigation of what by the rigour of the law he might pretend to; and if they would not accept of it, he would try the utmost severity that the law allowed, and would not offer them such a favour again." Yet all this did not prevail, for the act was rejected, and their complaint against the clergy was also laid aside, and the parliament was prorogued till April next.

In this parliament the foundation of the breach that afterwards followed with Rome was laid, by an act for restraining the payment of annates to that court; which, since it is not printed with the other statutes, shall be found in the end of this volume. The substance of it is as follows:

An act against annates Collect Numb 41

"That great sums of money had been conveyed out of the kingdom, under the title of annates, or first-fruits to the court of Rome, which they extorted by restraint of bulls and other writs; that it happened often, by the frequent deaths of archbishops and bishops, to turn to the utter undoing of their friends, who had advanced those sums for them. These annates were founded on no law: for they had no other way of obliging the incumbents of sees to pay them, but by restraining their bulls. The parliament, therefore, considering that these were first begun to be paid to defend Christendom against infidels, but were now turned to a duty claimed by that court against all right and conscience, and that vast sums were carried away upon that account, which, from the second year of King Henry the Seventh to that present time, amounted to eight hundred thousand ducats, besides many other heavy exactions of that court, did declare that the King was bound by his duty to almighty God, as a good Christian Prince to hinder these oppressions. And that the rather, because many of the prelates were then very aged, and like to die in a short time, whereby vast sums of money should be carried out of England, to the great impoverishing of the kingdom. And therefore all payments of first-fruits to the court of Rome were

put down, and for ever restrained, under the pains of the forfeiture of the lands, goods, and chattels of him that should pay them any more, together with the profits of his see during the time that he was vested with it. And in case bulls were restrained in the court of Rome, any person presented to a bishoprick, should be, notwithstanding, consecrated by the archbishop of the province; or if he were presented to an archbishoprick, by any two bishops in the kingdom, whom the King should appoint for that end; and being so consecrated, they should be invested and enjoy all the rights of their sees in full and ample manner: yet, that the Pope and court of Rome might have no just cause of complaint. the persons presented to bishopricks are allowed to pay them five lib. for the hundred, of the clear profits and revenues of their several sees. But the parliament, not willing to go to extremities, remitted the final ordering of that act to the King, that if the Pope would either charitably and reasonably put down the payment of annates, or so moderate them that they might be a tolerable burden, the King might at any time before Easter 1533, or before the next session of parliament, declare by his letters patents, whether the premises or any part of them should be observed or not, which should give them the full force and authority of a law. And that if upon this act the Pope should vex the King or any of his subjects, by excommunications or other censures, these notwithstanding, the King should cause the sacraments, and other rites of the church to be administered, and that none of these censures might be published or executed."

This bill began in the House of Lords; from them it was sent to the Commons, and being agreed to by them, received the royal assent, but had not final confirmation mentioned in the act before the 9th of July, 1533; and then by letters patents (in which the act is at length recited) it was confirmed.

Parl Rolls

The Pope writes to the King about the Queen's appeal.

But now I come to open the final conclusion of the King's suit at Rome. On the 25th of January, "The Pope wrote to the King, that he heard reports which

he very unwillingly believed, that he had put away his Queen, and kept one Anne about him as his wife; which, as it gave much scandal, so it was a high contempt of the apostolic see, to do such a thing while his suit was still depending, notwithstanding a prohibition to the contrary. Therefore the Pope, remembering his former merits, which were now like to be clouded with his present carriage, did exhort him to take home his Queen, and to put Anne away; and not to continue to provoke the Emperor and his brother by so high an indignity, nor to break the general peace of Christendom, which was its only security against the power of the Turk." What answer the King made to this, I do not find; but instead of that I shall set down the substance of a dispatch, which the King sent to Rome about this time, drawn from a copy of it, to which the date is not added. But it being an answer to a letter he received from the Pope the 7th of October, it seems to have been written about this time; and it concluding with a credence to an ambassador, I judge it was sent by Doctor Bennet, who was dispatched to Rome in January 1532, to shew the Pope the opinions of learned men, and of the universities, with their reasons. The letter will be found in the end of this volume; the contents of it are to this purpose: L. Herbert. Collect Numb 42.

"The Pope had writ to the King, in order to the clearing all his scruples, and to give him quiet in his conscience; of which the King takes notice, and is sorry that both the Pope and himself were so deceived in that matter; the Pope by trusting to the judgments of others, and writing whatever they suggested; and the King by depending so much on the Pope, and in vain expecting remedy from him so long. He imputes the mistakes that were in the Pope's letters (which he says had things in them contrary both to God's laws and man's laws), to the ignorance and rashness of his counsellors: for which himself was much to be blamed, since he rested on their advice; and that he had not carried himself as became Christ's Vicar, but had dealt both unconstantly and deceit- A dispatch of the King to the Pope.

fully; for when the King's cause was first opened to him, and all things that related to it were explained, he had granted a commission, with a promise not to recal it, but to confirm the sentence which the Legates should give; and a decretal was sent over, defining the cause. If these were justly granted, it was injustice to revoke them; but if they were justly revoked, it was unjust to grant them. So he presses the Pope, that either he could grant these things, or he could not. If he could do it, where was the faith which became a friend, much more a Pope, since he had broke these promises? but if he said he could not do them, had he not then just cause to distrust all that came from him, when at one time he condemned what he had allowed at another? So that the King saw clearly he did not consider the ease of his conscience, but other worldly respects, that had put him on consulting so many learned men, whose judgments differed much from those few that were about the Pope, who thought the prohibition of such marriages was only positive, and might be dispensed with by the Pope; whereas all other learned men thought the law was moral and indispensable. He perceived the apostolic see was destitute of that learning by which it should be directed, and the Pope had oft professed his own ignorance, and that he spake by other men's mouths; but many universities in England, France, and Italy, had declared the marriage unlawful, and the dispensation null. None honoured the apostolic see more than he had done, and therefore he was sorry to write such things if he could have been silent. If he should obey the Pope's letters, he would offend God and his own conscience, and give scandal to those who condemned his marriage: he did not willingly dissent from him without a very urgent cause, that he might not seem to despise the apostolic see; therefore he desired the Pope would forgive the freedom that he used, since it was the truth that drew it from him. And he added, that he intended not to impugn the Pope's authority further, except he compelled him; and what he did was only to bring it

within its first and ancient limits, to which it was better to reduce it, than to let it always run on headlong and do amiss; therefore he desired the Pope would conform himself to the opinions of so many learned men, and do his duty and office. The letter ends with a credence to the ambassador."

The Pope, seeing his authority was declining in England, resolved now to do all he could to recover it, either by force or treaty; and so ordered a citation to be made of the King to appear in person, or by proxy, at Rome, to answer to the Queen's appeal: upon which, Sir Edward Karne was sent to Rome, with a new character of Excusator. "His instructions were to take counsel for pleading an excuse of the King's appearance at Rome. First, upon the grounds that might be found in the canon law; and these not being sufficient, he was to insist on the prerogatives of the crown of England." Doctor Bonner went with him, who had expressed much zeal in the King's cause, though his great zeal was for preferment, which by the most servile ways he always courted. He was a forward bold man, and since there were many threatenings to be used to the Pope and cardinals, he was thought fittest for the employment, but was neither learned nor discreet.

Sir Edward Karne sent to Rome.

They came to Rome in February, where they found great heats in the consistory about the King's business. The Imperialists pressed the Pope to proceed, but all the wise and indifferent cardinals were of another mind. And when they understood what an act was passed about annates, they saw clearly that the parliament was resolved to adhere to the King in every thing he intended to do against their interests. The Pope expostulated with the ambassadors about it; but they told him the act was still in the King's power; and except he provoked him, he did not intend to put it in execution. The ambassadors, finding the Cardinal of Ravenna of so great reputation, both for learning and virtue, that in all matters of that kind, his opinion was heard as an oracle, and gave law to the whole consistory; they resolved to gain him by all means possible.

His negotiation there, taken from the original letters Cott Lib Vit 1 B. 13

And Doctor Bennet made a secret address to him, and offered him what bishoprick either in France or in England he would desire, if he would bring the King's matter to a good issue. He was at first very shy: at length he said, he had been oft deceived by many princes, who had made him great promises, but when their business was ended never thought of performing them: therefore he would be sure; and so drove a bargain, and got under Dr. Bennet's hand a promise, (of which a copy being sent to the King, written by Bennet himself, will be found at the end of this volume,) bearing, that he, having powers from the King for that effect, dated the 29th of December last, did promise the Cardinal, for his help in the King's affair, monasteries or other benefices in France, to the value of six thousand ducats a year, and the first bishoprick that fell vacant in England; and if it were not Ely, that whenever that see was vacant, upon his resigning the other, he should be provided with the bishoprick of Ely: dated at Rome, the 7th of February, 1532. This I set down as one of the most considerable arguments that could be used to satisfy the Cardinal's conscience about the justice of the King's cause. This Cardinal was the fittest to work secretly for the King, for he had appeared visibly against him. I find also by other letters, that both the Cardinals of Ancona and Monte (afterwards Pope Julius the Third) were prevailed with by arguments of the same nature, though I cannot find out what the bargains were. Providellus, that was accounted the greatest canonist in Italy, was brought from Bononia, and entertained by the ambassadors to give counsel in the King's cause, and to plead his excuse from appearing at Rome. The plea was summed up in twenty-seven articles, which were offered to the Pope; and he admitted them to be examined in the consistory, appointing three of them to be opened at a session. But the Imperialists opposed that, and after fifteen of them had been heard, procured a new order, that they should be heard in a congregation of cardinals before the Pope; pretending, that a consistory sitting but once a week, and hav

The Cardinal of Ravenna corrupted by bribes Collect Numb 48

ing a great deal of other business, it would be long before the matter could be brought to any issue. So Karne was served with a new order to appear in the congregation the 3d of April, with this certification, that if he appeared not, they would proceed. Upon which he protested, that he would adhere to the former order; yet being warned the second time, he went first and protested against it, which he got entered in the Datary. This being considered in the congregation, they renewed the order of hearing it in the consistory on the 10th of April, and then Providellus opened three conclusions. Two of them related to Karne's powers, the third was concerning the safety of the place to both parties. But the Imperialists and the Queen's counsel being dissatisfied with this order, would not appear. Upon which Karne complained of their contumacy, and said, by that it was visible they were distrustful of their cause. On the 14th of April, a new intimation was made to Karne to appear on the 17th with his advocates, to open all the rest of the conclusions; but he, according to the first order, would only plead to three of them, and selected the nineteenth, twentieth, and twenty-first (what these related to I find not). Upon which Providellus pleaded, and answered the objections that did seem to militate against them; but neither would the Imperialists appear that session. Collect Numb. 44

In June news were brought to Rome, which gave the Pope great offence: a priest had preached for the Pope's authority in England, and was for that cast into prison. And another priest being put in prison by the Archbishop of Canterbury, upon suspicion of heresy, had appealed to the King as the supreme head: upon which he was taken out of the Archbishop's hands, and being examined in the King's courts was set at liberty. This the Pope resented much: but the ambassadors said, all such things might have been prevented, if the King had got justice at the Pope's hands.

The King also at this time desired a bull for a commission to erect six new bishopricks, to be endowed by monasteries that were to be suppressed. This was ex- A bull for erecting new bishopricks.

pedited and sent away at this time: and the old Cardinal of Ravenna was so jealous, that the ambassadors were forced to promise him the bishoprick of Chester (one of the new bishopricks): with which he was well satisfied, having seen, by a particular state of the endowment that was designed for it, what advantage it would yield him. But he had declared himself so openly before against the reasons for the excuse, that he could not serve the King in that matter, but in the main cause he undertook to do great service, and so did the Cardinals De Monte and Ancona.

Upon the 27th of June the debate was brought to a conclusion about the plea excusatory; and when it was expected that the Pope should have given sentence against the articles, he admitted them all, *si et prout de jure*. Upon which the Imperialists made great complaints: the cardinals grew weary of the length of the debate, since it took up all their time; but it was told them, the matter was of great importance, and it had been better for them not to have proceeded so precipitately at first, which had now brought them into this trouble, and that the King had been at much pains and trouble on their account; therefore it was unreasonable for them to complain, who were put to no other trouble, but to sit in their chairs two or three hours in a week to hear the King's defences. The Imperialists had also occasioned the delays, though they complained of them by their cavils, and allegations of laws, and decisions that never were made, by which much time was spent. But it was objected, that the King's excuse for not coming to Rome, because it was too remote from his kingdom, and not safe, was of no force; since the place was safe to his proxy. And the Cardinal of Ravenna pressed the ambassadors much to move the King, instead of the excusatory process, to send a proxy, for examining and discussing the merits of the cause, in which it would be much easier to advance the King's matter; and that he, having appeared against the King in this process, would be the less suspected in the other.

The business being further considered in three ses-

sions of the consistory, it was resolved, that, since the vacation was coming on, they would neither allow of, nor reject the King's excusatory plea; but the Pope and college of cardinals would write to the King, entreating him to send a proxy for judging the cause against the winter. And with this Bonner was sent over, with instructions from the cardinals that were gained to the King, to represent to him that his excusatory plea could not be admitted; for since the debate was to be, whether the Pope could grant the dispensation or not, it could not be committed to legates, but must be judged by the Pope and the consistory. He was also ordered to assure the King, that the Pope did now lean so much to the French faction, that he needed not fear to refer the matter to him.

The Pope desires the King would submit to him. Collect. Numb. 46

But while these things were in debate at Rome, there was another session of parliament in April; and then the King sent for the Speaker of the House of Commons, and gave him the answer which the clergy had drawn to the addresses they made in the former session about their courts. The King himself seemed not at all pleased with it; but what the House did in it does not appear, further than that they were no way satisfied with it. But there happened another thing that offended the King much: one Themse of the House of Commons moved, that they should address to the King to bring the Queen back to the court; and ran out upon the inconveniences that were like to follow if the Queen were put away, particularly the ill consequence of the illegitimation of the Princess. Upon this the King took occasion (when he gave them the clergy's answer) to tell them, that he wondered at that motion made in their House, for the matter was not to be determined there. It touched his soul; he wished his marriage were good, but the doctors and learned men had determined it to be null and detestable; and therefore, he was obliged in conscience to abstain from her, which he assured them flowed from no lust nor foolish appetite. He was then forty-one years old, and at that age those heats abate. But except in Spain or Portugal it had not been heard of,

A session of parliament.

One moves for bringing the Queen to court

At which the King is offended.

that a man married two sisters; and that he never heard, that any Christian man before himself had married his brother's wife: therefore he assured them his conscience was troubled, which he desired them to report to the House. In this session the Lord Chancellor came down to the Commons, with many of the nobility about him, and told them, the King had considered the marches between England and Scotland, which were uninhabited on the English side, but well peopled on the Scottish; and that laid England open to the incursion of the Scots: therefore the King intended to build houses there, for planting the English side. This the lords liked very well, and thought it convenient to give the King some aids for the charges of so necessary a work, and therefore desired the Commons to consult about it. Upon which the House voted a subsidy of a fifteenth: but before the bill could be finished, the plague broke out in London, and the parliament was prorogued till February following. On the 11th of May (three days before the prorogation) the King sent for the Speaker of the House of Commons, and told him, "That he found upon inquiry, that all the prelates, whom he had looked on as wholly his subjects, were but half subjects; for at their consecration they swore an oath quite contrary to the oath they swore to the crown; so that it seemed they were the Pope's subjects rather than his. Which he referred to their care, that such order might be taken in it, that the King might not be deluded." Upon which the two oaths that the clergy swore to the King and the Pope were read in the House of Commons; but the consequence of them will be better understood by setting them down.

A subsidy is voted

The King remits the oaths which the clergy swore to be considered by the Commons

The Oath to the Pope.

Their oath to the Pope.

"I John, Bishop or Abbot of A. from this hour forward shall be faithful and obedient to St. Peter, and to the holy church of Rome, and to my Lord the Pope, and his successors, canonically entering. I shall not be of counsel nor consent, that they shall lose either life or member, or shall be taken, or suffer

any violence or any wrong, by any means. Their counsel to me credited by them, their messengers or letters, I shall not willingly discover to any person. The papacy of Rome, the rules of the holy fathers, and the regality of St. Peter, I shall help, and maintain, and defend against all men. The Legate of the see apostolic going and coming I shall honourably entreat. The rights, honours, privileges, authorities of the church of Rome, and of the Pope and his successors, I shall cause to be conserved, defended, augmented, and promoted. I shall not be in council, treaty, or any act, in the which any thing shall be imagined against him or the church of Rome, their rights, seats, honours, or powers. And if I know any such to be moved or compassed, I shall resist it to my power, and as soon as I can I shall advertise him, or such as may give him knowledge. The rules of the holy fathers, the decrees, ordinances, sentences, dispositions, reservations, provisions, and commandments apostolic, to my power I shall keep, and cause to be kept of others. Heretics, schismatics, and rebels to our holy father, and his successors, I shall resist and persecute to my power. I shall come to the synod when I am called, except I be letted by a canonical impediment. The thresholds of the apostles I shall visit yearly personally, or by my deputy. I shall not alienate or sell my possessions without the Pope's counsel. So God help me and the holy Evangelists."

The Oath to the King.

"I John, Bishop of A. utterly renounce and clearly forsake all such clauses, words, sentences, and grants, which I have or shall have hereafter of the Pope's holiness, of and for the bishoprick of A. that in any wise hath been, is, or hereafter may be hurtful or prejudicial to your Highness, your heirs, successors, dignity, privilege, or estate royal. And also I do swear, that I shall be faithful and true, and faith and truth I shall bear to you my sovereign Lord, and to your heirs, kings of the same, of life and limb, and yearly

Their oath to the King.

worship above all creatures, for to live and die with you and yours against all people. And diligently I shall be attendant to all your needs and business, after my wit and power, and your counsel I shall keep and hold, acknowledging myself to hold* my bishoprick of you only, beseeching you of restitution of the temporalities of the same; promising as before that I shall be a faithful, true, and obedient subject to your said Highness, heirs, and successors, during my life; and the services and other things due to your Highness for the restitution of the temporalities of the same bishoprick, I shall truly do and obediently perform. So God me help and all saints."

The contradiction that was in these was so visible, that it had soon produced a severe censure from the House, if the plague had not hindered both that and the bill of subsidy. So on the 14th of May the parliament was prorogued. Two days after, Sir Thomas More, lord chancellor, having oft desired leave to deliver up the great seal, and be discharged of his office, obtained it; and Sir Thomas Audley was made lord chancellor. More had carried that dignity with great temper, and lost it with much joy. He saw now how far the King's designs went; and though he was for cutting off all the illegal jurisdiction which the popes exercised in England, and therefore went cheerfully along with the suit of *præmunire;* yet when he saw a total rupture like to follow, he excused himself, and retired from business with a greatness of mind, that was equal to what the ancient philosophers pretended in such cases. He also disliked Anne Boleyn, and was prosecuted by her father, who studied to fasten some criminal imputations on him about the discharge of his employment; but his integrity had

More laid down his office

* In Strype's Cranmer, the oath expresses, that the archbishop acknowledged, that he *took* and held his see only of the King,—here he only professes to *hold* the see of the King. There is a difference in this which has attracted some notice. See *Soames's* History of the Reformation under King Henry VIII., who supposes that Cardinal Pole was led into a mistake upon this head, when he charged Cranmer with having renounced the Pope's authority, after being by that very authority *made* archbishop, in fact, he never acknowledged that he had been *made* archbishop by the Pope, but, according to the oath in Strype, expressly by the King.—N.

been such, that nothing could be found to blemish his reputation.

In September following, the King created Anne Boleyn marchioness of Pembroke, to bring her by degrees up to the height for which he had designed her. And in October, he passed the seas, and had an interview with the French King; where all the most obliging compliments that were possible passed on both sides with great magnificence, and a firm union was concerted about all their affairs. They published a league that they made to raise a mighty army next year against the Turk; but this was not much considered, it being generally believed that the French King and the Turk were in a good correspondence. As for the matter of the King's divorce, Francis encouraged him to go on in it, and in his intended marriage with Anne Boleyn; promising, if it were questioned, to assist him in it: and as for his appearance at Rome, as it was certain he could not go thither in person, so it was not fit to trust the secrets of his conscience to a proxy. The French King seemed also resolved to stop the payment of annates, and other exactions of the court of Rome, and said he would send an ambassador to the Pope, to ask redress of these, and to protest, that if it were not granted, they would seek other remedies by provincial councils: and since there was an interview designed between the Pope and the Emperor at Bononia in December, the French King was to send two cardinals thither to procure judges for ending the business in England. There was also an interview proposed between the Pope and the French King at Nice or Avignon. To this the King of England had some inclinations to go for ending all differences, if the Pope were well disposed to it.

An interview with the French King.

Upon this, Sir Thomas Eliot was sent to Rome with answer to a message the Pope had sent to the King; from whose instructions both the substance of the message and of the answer may be gathered. "The Pope had offered to the King, that if he would name any indifferent place out of his own kingdom, he

Eliot sent to Rome with instructions Cott Library Vit. B. 13.

would send a legate and two auditors of the Rota thither, to form the process, reserving only the sentence to himself. The Pope also proposed a truce of three or four years, and promised that in that time he would call a general council. For this message the King sent the Pope thanks; but for the peace, he could receive no propositions about it without the concurrence of the French King; and though he did not doubt the justice of a general council, yet, considering the state of the Emperor's affairs at that time with the Lutherans, he did not think it was then seasonable to call one. That as for sending a proxy to Rome, if he were a private person he could do it; but it was a part of the prerogative of his crown, and of the privileges of his subjects, that all matrimonial causes should be originally judged within his kingdom by the English church, which was consonant to the general councils and customs of the ancient church, whereunto he hoped the Pope would have regard: and that for keeping up his royal authority, to which he was bound by oath, he could not, without the consent of the realm, submit himself to a foreign jurisdiction; hoping the Pope would not desire any violation of the immunities of the realm, or to bring these into public contention, which had been hitherto enjoyed without intrusion or molestation. The Pope had confessed that without an urgent cause the dispensation could not be granted. This the King laid hold on, and ordered his ambassador to shew him that there was no war, nor appearance of any, between England and Spain when it was granted. To verify that, he sent an attested copy of the treaty between his father and the crown of Spain at that time: by the words of which it appeared, that it was then taken for granted that Prince Arthur had consummated the marriage, which was also proved by good witnesses. In fine, since the thing did so much concern the peace of the realm, it was fitter to judge it within the kingdom than any where else; therefore he desired the Pope would remit the discussing of it to the church of England, and then confirm the sentence they should

give. To the obtaining of this, the ambassador was to use all possible diligence; yet if he found real intentions in the Pope to satisfy the King, he was not to insist on that as the King's final resolution: and to let the Cardinal of Ravenna see that the King intended to make good what was promised in his name, the bishoprick of Coventry and Litchfield falling vacant, he sent him the offer of it, with a promise of the bishoprick of Ely when it should be void."

The king married Anne Boleyn, Nov 14. Cowper, Holinshed, and Sanders.

Soon after this, he married Anne Boleyn, on the 14th of November, upon his landing in England; but Stow says that it was on the 25th of January.* Rowland Lee (who afterwards got the bishoprick of Coventry and Litchfield) did officiate in the marriage. It was done secretly, in the presence of the Duke of Norfolk, and her father, her mother, and brother. The grounds on which the King did this were, that his former marriage being of itself null, there was no need of a declarative sentence after so many universities and doctors had given their judgments against it. Soon after the marriage she was with child, which was looked on as a signal evidence of her chastity, and that she had till then kept the King at a due distance.

An interview between the Pope and Emperor

But when the Pope and the Emperor met at Bononia, the Pope expressed great inclinations to favour the French King; from which the Emperor could not remove him, nor engage him to accept of a match for his niece, Catharine de Medici, with Francis Sforza, duke of Milan. But the Pope promised him all that he desired as to the King of England, and so that matter was still carried on. Dr. Bennet made several propositions to end the matter; either that it should be judged in England, according to the decree of the council of Nice, and that the Archbishop of Canterbury, with the whole clergy of his province, should determine it; or that the King should name one, either Sir Thomas More or the Bishop of London, the

Some overtures about the divorce Lord Herbert.

* Stow is in the right, for in a letter of Cranmer's to Hawkins, then the King's ambassador with the Emperor, dated in June from Croydon, he wrote —"Queen Anne was married much about St Paul's Day last as the condition thereof doth well appear, by reason she is now somewhat big with child."

Queen should name another, the French King should name a third, and the Archbishop of Canterbury to be the fourth; or that the cause should be heard in England, and if the Queen did appeal, it should be referred to three delegates, one of England, another of France, and a third to be sent from Rome, who should sit and judge the appeal in some indifferent place. But the Pope would hearken to none of these overtures, since they were all directly contrary to that height of authority which he resolved to maintain: therefore he ordered Capisucci, the dean of the Rota, to cite the King to answer to the Queen's appeal. Karne at Rome protested against the citation, since the Emperor's power was so great about Rome, that the King could not expect justice there; and therefore desired they would desist, otherwise the King would appeal to the learned men in universities; and said, there was a nullity in all their proceedings, since the King was a sovereign prince, and the church of England a free church, over which the Pope had no just authority.

1533 A session of parliament.

But while this depended at Rome, another session of parliament was held in England, which began to sit on the 4th of February. In this, the breach with Rome was much forwarded by the act they passed against all appeals to Rome. "The preamble bears, That the crown of England was imperial, and that the nation was a complete body within itself, with a full power to give justice in all cases, spiritual as well as temporal; and that in the spirituality, as there had been at all times, so there were then men of that sufficiency and integrity, that they might declare and determine all doubts within the kingdom; and that several kings, as Edward I., Edward III., Richard II., and Henry IV., had by several laws preserved the liberties of the realms, both spiritual and temporal, from the annoyance of the see of Rome, and other foreign potentates; yet many inconveniences had arisen by appeals to the see of Rome in causes of matrimony, divorces, and other cases, which were not sufficiently provided against by these laws; by which

An act against appeals to Rome. 24 Hen VIII Act 22.

not only the King and his subjects were put to great charges, but justice was much delayed by appeals; and Rome being at such a distance, evidences could not be brought thither, nor witnesses, so easily as within the kingdom: therefore it was enacted, that all such causes, whether relating to the King or any of his subjects, were to be determined within the kingdom, in the several courts to which they belonged, notwithstanding any appeals to Rome, or inhibitions and bulls from Rome; whose sentences should take effect, and be fully executed by all inferior ministers: and if any spiritual persons refused to execute them because of censures from Rome, they were to suffer a year's imprisonment, and fine and ransom at the King's will; and if any persons in the King's dominions procured or executed any process or censures from Rome, they were declared liable to the pains in the statute of provisors in the sixteenth of Richard II. But that appeals should only be from the archdeacon, or his official, to the bishop of the diocess, or his commissary, and from him to the archbishop of the province, or the dean of the Arches; where the final determination was to be made without any further process; and in every process concerning the King, or his heirs and successors, an appeal should lie to the Upper House of Convocation; where it should be finally determined, never to be again called in question."

As this bill passed, the sense of both houses of parliament about the King's marriage did clearly appear, but in the convocation the business was more fully debated. The convocation of the province of Canterbury was at this time destitute of its head and principal member. For Warham, archbishop of Canterbury was dead since August last year. He was a great canonist, an able statesman, a dexterous courtier, and a favourer of learned men. He always hated Cardinal Wolsey, and would never stoop to him, esteeming it below the dignity of his see. He was not so peevishly engaged to the learning of the schools as others were, but set up and encouraged a

Warham's death Aug 23

more generous way of knowledge; yet he was a severe persecutor of them whom he thought heretics, and inclined to believe idle and fanatical people, as will afterwards appear when the impostures of the Maid of Kent shall be related.

The King resolves to promote Cranmer

The King saw well of how great importance it was to the designs he was then forming to fill that see with a learned, prudent, and resolute man; but finding none in the episcopal order that was qualified to his mind, and having observed a native simplicity, joined with much courage, and tempered with a great deal of wisdom, in Dr. Cranmer, who was then negotiating his business among the learned men of Germany; he, of his own accord, without any addresses from Cranmer, designed to raise him to that dignity, and gave him notice of it, that he might make haste and come home to enjoy that reward which the King had appointed for him. But Cranmer, having received this, did all he could to excuse himself from the burden which was coming upon him; and therefore he returned very slowly to England, hoping that the King's thoughts cooling, some other person might step in between him and a dignity, of which having a just and primitive sense, he did look on it with fear and apprehension, rather than joy and desire. This was so far from setting him back, that the King (who had known well what it was to be importuned by ambitious and aspiring churchmen, but had not found it usual that they should decline and fly from preferment) was thereby confirmed in his high opinion of him; and neither the delays of his journey, nor his entreaties to be delivered from a burden, which his humility made him imagine himself unable to bear, could divert the King. So that though six months elapsed before the thing was settled, yet the King persisted in his opinion, and the other was forced to yield.

Fox

Cranmer's bulls from Rome.

In the end of January the King sent to the Pope for the bulls for Cranmer's promotion; and though the statutes were passed against procuring more bulls from Rome, yet the King resolved not to begin the breach till he was forced to it by the Pope. It may

be easily imagined, that the Pope was not hearty in this promotion, and that he apprehended ill consequences from the advancement of a man, who had gone over many courts of Christendom, disputing against his power of dispensing, and had lived in much familiarity with Osiander and the Lutherans in Germany: yet, on the other hand, he had no mind to precipitate a rupture with England; therefore he consented to it, and the bulls were expedited, though instead of annates there was only nine hundred ducats paid for them.

They were the last bulls that were received in England in this King's reign; and therefore I shall give an account of them, as they are set down in the beginning of Cranmer's Register. By one bull he is, upon the King's nomination, promoted to be archbishop of Canterbury, which is directed to the King. By a second, directed to himself, he is made archbishop. By a third, he is absolved from all censures. A fourth is to the suffragans. A fifth to the dean and chapter. A sixth to the clergy of Canterbury. A seventh to all the laity in his see. An eighth to all that held lands of it, requiring them to receive and acknowledge him as archbishop. All these bear date the 21st of February, 1533. By a ninth bull, dated the 22d of February, he was ordained to be consecrated, taking the oath that was in the pontifical. By a tenth bull, dated the 2d of March, the pall was sent him. And by an eleventh of the same date the Archbishop of York and the Bishop of London were required to put it on him. These were the several artifices to make compositions high, and to enrich the apostolic chamber; for now that, about which St. Peter gloried that he had none of it ("neither silver nor gold"), was the thing in the world for which his successors were most careful.

When these bulls were brought into England, Thomas Cranmer was on the 30th of March consecrated by the Bishops of Lincoln, Exeter, and St. Asaph. But here a great scruple was moved by him concerning the oath that he was to swear to the Pope, which he

had no mind to take; and writers near that time say, the dislike of that oath was one of the motives that made him so unwillingly accept of that dignity. He declared, that he thought there were many things settled by the laws of the popes, which ought to be reformed; and that the obligation which that oath brought upon him, would bind him up from doing his duty both to God, the King, and the church. But this being communicated to some of the canonists and casuists, they found a temper that agreed better with their maxims than Cranmer's sincerity; which was that before he should take the oath, he should make a good and formal protestation, that he did not intend thereby to restrain himself from any thing that he was bound to, either by his duty to God, or the King, or the country; and that he renounced every thing in it that was contrary to any of these. This protestation he made in St. Stephen's chapel at Westminster, in the hands of some doctors of the canon law, before he was consecrated, and he afterwards repeated it when he took the oath to the Pope; by which, if he did not wholly save his integrity, yet it was plain he intended no cheat, but to act fairly and above-board.

His protestation about his oath to the Pope.

As soon as he was consecrated, and had performed every thing that was necessary for his investiture, he came and sate in the Upper House of Convocation. There were there at that time hot and earnest debates upon these two questions:—Whether it was against the law of God, and indispensable by the Pope, for a man to marry his brother's wife, he being dead without issue, but having consummated the marriage? And whether Prince Arthur had consummated his marriage with the Queen? As for the first, it was brought first into the Lower House of Convocation, and when it was put to the vote, fourteen were for the affirmative, seven for the negative; one was not clear, and another voted the prohibition to be moral, but yet dispensable by the Pope. In the Upper House it was long debated; Stokesly, bishop of London, arguing for the affirmative, and Fisher, bishop of Rochester, for the negative. The opinions of nineteen univer-

Antiq. Brit. in vita Cranmer

sities* were read for it, and the one house being as full as the other was empty, two hundred and sixteen being present, either in person or by proxy, it was carried in the affirmative, *nemine contradicente;* those few of the Queen's party that were there it seems going out. For the other question, about the matter of fact, it was remitted to the faculty of the canon law (it being a matter that lay within their studies), whether the presumptions were violent, and such as in the course of law must be looked on as good evidences of a thing that was secret, and was not capable of formal proof? They all, except five or six, were for the affirmative, and all the Upper House confirmed this, the Bishop of Bath and Wells only excepted.

In this account it may seem strange that there were but twenty-three persons† in the Lower House of Convocation, and two hundred and sixteen in the Upper House. It is taken from an unquestioned authority, so the matter of fact is not to be doubted. The most learned Sir Henry Spelman has in no place of his Collection of our Councils, considered the constitution of the two houses of convocation; and in none of our records have I been able to discover of what persons they were made up in the times of popery: and therefore, since we are left to conjecture, I shall offer mine to the learned reader. It is, that none sate in the Lower House but those who were deputed by the inferior clergy; and that bishops, abbots, mitred and not mitred, and priors, deans, and archdeacons, sate then in the Upper House of Convocation.‡ To which I am induced by these two reasons: it is probable that all who were declared prelates by the Pope, and had their writ to sit in a general council, had likewise a

* The opinions of some foreign Universities were certainly laid before the Upper House of Convocation, but so far from being as many as *nineteen*, they were only six, and in fact the former number applies to the minority, who, out of two hundred and sixteen members, *opposed* the decrees or decisions of the Universities, and so far took the part of the Queen.—See Collier, II. 74. and Burnet's own correction, vol. III. book II. anno 1531. See also the Preface to the present edition of this work.—N.

† The number of those who voted being only twenty-three, must be understood only of the divines, for the second question was put only to the jurists, who, in those times, exceeded the divines in number, and they did all vote in the affirmative so that the numbers did far exceed twenty-three.

‡ See this corrected by the author himself, vol. III. book II. anno 1531.—N.

right to come to the Upper House of Convocation, and sit with the other prelates. And we find in the tomes of the councils, that not only abbots and priors, but deans and archdeacons were summoned to the fourth council in the Lateran, and to that at Vienna. Another reason is, that their sitting in two houses (for in all other nations they sit together) looks as if it had been taken from the constitution of our parliament, in which all that have writs personally sit in the Lord's House; and those who come upon an election sit in the Lower House. So it is not improbable, that all who were summoned personally sate in the Upper House, and those who were returned with an election sate in the Lower House of Convocation.

New endeavours to make the Queen submit.

This account of that convocation I take from that collection of the British antiquities, which is believed to have been made by Matthew Parker, who lived at that time, and was afterwards archbishop of Canterbury. But the convocation books being burnt, there are no records to be appealed to; yet it is not to be supposed, that in a matter of fact that was so public and well known, any man (especially one of that high rank) would have delivered falsehoods, while the books were yet extant that would have disproved them.

The church of England having in her representative made such a full decision, nothing remained but to give judgment and to declare the marriage null. The thing was already determined, only the formality of a sentence declarative was wanting. But before they proceeded to that, a new message was sent to the Queen, to lay all that had passed before her, and to desire her to acquiesce in the opinions of so many universities and learned men. But she still persisted in her resolution to own her marriage and to adhere to her appeal, till the Pope should judge in it. And when it was told her, that the King would settle the jointure that she was to have by his brother, and that the honour of Princess of Wales should still be paid her, she rejected it. But the new Queen was now with child, and brought forth Queen Elizabeth the 7th of September this year · from which, looking

But in vain.

backwards nine months, to the beginning of December,* it shews that she must have been married at or before that time: for all the writers of both sides agree that she was married before she conceived with child. The King therefore thought not fit to conceal it much longer; so on Easter-eve she was declared Queen of England. It seems it was not thought needful at that time to proceed to any further sentence about the former marriage; otherwise I cannot see what made it be so long delayed, since the thing was in their power now, as well as after. And it was certainly a preposterous method to judge the first marriage null after the second was published. So that it seems more probable, they did not intend any sentence at all, till afterwards, perhaps upon advertisements from beyond sea, they went on to a formal process. Nor is it unlikely that the King, remembering the old advice that the Pope sent him, once to marry a second wife, and then to send for a commission to try the matter, which the Pope was willing to confirm, though he would not seem to allow it originally, resolved to follow this method; for the Pope was now closing with Francis, from which union the King had reason to expect great advantages.

Whatsoever were the reasons of the delay, the process was framed in this method. First, Cranmer†

* See before, p 205. The marriage seems undoubtedly to have taken place on, or "much about St Paul's day," viz Jan. 25. Cranmer's letter, referred to, p. 205, bears date June 17, 1533 —In this letter, it should be observed, he declares, he knew not of it, for a fortnight after it was done, yet he is generally said to have been present at the ceremony —N

† Cranmer, in a letter to Hawkins, gives the following account of the final sentence of divorce —"As touching the final determination and concluding of the matter of divorce, between my Lady Katherine and the King's grace, and after the convocation in that behalf had determined and agreed, according to the former sentence of the universities, it was thought convenient, by the King and his learned council, that I should repair to Dunstable, and there to call her before me, to hear final sentence in this said matter. Notwithstanding, she would not at all obey thereunto. On the 8th of May, according to the said appointment, I came to Dunstable, my Lord of Lincoln being assistant to me; and my Lord of Winchester, Dr. Bell, Dr Claybroke, Dr. Tregonnel, Dr. Sterkey, Dr. Olyver, Dr. Britton, Mr. Bedel, with divers others learned in the law, being counsellors to the King. And so there, at our coming, kept a court, for the appearance of the said Katherine, where we examined certain witnesses, who testified that she was lawfully cited, and called to appear, as the process of the law thereunto belongeth, which continued fifteen days

wrote to the King, that the world had been long scandalized with his marriage, and that it lay on him as his duty to see it tried and determined; therefore craved his royal leave to proceed in it. Which being obtained, both the King and Queen were cited to appear before the Archbishop, at Dunstable, the 10th of May, and the Archbishop went thither with the Bishops of London, Winchester (Gardiner), Bath and Wells, and Lincoln, and many divines and canonists. That place was chosen because the Queen lay then very near it at Ampthill, and so she could not pretend ignorance of what was done; and they needed not put many days in the citation, but might end the process so much the sooner. On the 10th of May the Archbishop sate in court, and the King appeared by proxy, but the Queen appeared not. Upon which she was declared *contumax*, and a second citation was issued out, and after that a third: but she intended not to appear, and so she was finally declared *contumax*. Then the evidences that had been brought before the Legates, of the consummation of the marriage with Prince Arthur, were read. After that the determinations of the universities, and divines, and canonists, were also produced and read. Then the judgments of the convocations of both provinces were also read, with many other instruments, and the whole merits of the cause were opened. Upon which, after many sessions, on the 23d of May sentence was given, with the advice of all that were there present, declaring it only to have been a marriage *de facto*, but not *de jure*, pronouncing it null from the beginning. One thing is to be observed, that the Archbishop is in the sentence called the Legate of the apostolic see. Whether this went of course as one of his titles, or was put in to make the sentence firmer, the reader may judge. Sentence being given, the Archbishop, with all the rest, returned to London; and five days after, on the 28th of May, at Lambeth,

Cranmer proceeds to a sentence of divorce, taken from the originals. Cott. Lib Otho C 10.

Collect. Numb. 47.

after our first coming thither. The morrow after Ascension day, I gave sentence therein, how that it was indispensable for the Pope to license any such marriage."

by another judgment, he, in general words (no reasons being given in the sentence), confirmed the King's marriage with the new Queen Anne; and the 1st of June she was crowned Queen.

When this great business, which had been so long in agitation, was thus concluded, it was variously censured as men stood affected. Some approved the King's proceedings as canonical and just, since so many authorities, which in the interval of a general council were all that could be had (except the Pope be believed infallible), had concurred to strengthen the cause; and his own clergy had, upon a full and long examination, judged it on his side. Others, who in the main agreed to the divorce, did very much dislike the King's second marriage before the first was dissolved; for they thought it against the common course of law, to break a marriage without any public sentence; and since one of the chief politic reasons that was made use of in this suit, was to settle the succession of the crown, this did embroil it more, since there was a fair colour given to except to the validity of the second marriage, because it was contracted before the first was annulled. But to this others answered, that the first marriage being judged by the interpreters of the doctrine of the church, to have been null from the beginning, there was no need of any sentence, but only for form. And all concluded, it had been better there had been no sentence at all, than one so late. Some excepted to the Archbishop of Canterbury's being judge, who by his former writings and disputes had declared himself partial. But to this it was answered, that when a man changes his character, all that he did in another figure is no just exception; so judges decide causes in which they formerly gave counsel; and popes are not bound to the opinions they held when they were divines or canonists. It was also said, that the Archbishop did only declare in legal form, that which was already judged by the whole convocation of both provinces. Some wondered at the Pope's stiffness, that would put so much to hazard, when there wanted not as

The censures passed at that time.

good colours to justify a bull, as they had made use of to excuse many other things. But the Emperor's greatness, and the fear of giving the Lutherans advantages in disputing the Pope's authority, were on the other hand so prevalent considerations, that no wonder they wrought much on a Pope, who pretended to no other knowledge but that of policy; for he had often said, he understood not the matter, and therefore left it in other men's hands. All persons excused Queen Katherine for standing so stiffly to her ground; only her denying so confidently that Prince Arthur consummated the marriage, seems not capable of an excuse. Every body admired Queen Anne's conduct, who had managed such a King's spirit so long, and had neither surfeited him with great freedom, nor provoked him by the other extreme; for the King, who was extremely nice in these matters, conceived still a higher opinion of her; and her being so soon with child after the marriage, as it made people conclude she had been chaste till then, so they hoped for a blessing upon it, since there were such early appearances of issue. Those that favoured the Reformation expected better days under her protection, for they knew she favoured them: but those who were in their hearts for the established religion, did much dislike it; and many of the clergy, especially the orders of monks and friars, condemned it both in their sermons and discourses.

But the King, little regarding the censures of the vulgar, sent ambassadors to all the courts of Europe, to give notice of his new marriage, and to justify it by some of those reasons which have been opened in the former parts of this History. He also sent the Lord Mountjoy to the divorced Queen, to let her know what was done, and that she was no more to be treated as Queen, but as Princess Dowager. He was to mix promises with threatenings, particularly concerning her daughter's being put next the Queen's issue in the succession. But the afflicted Queen would not yield, and said, she would not damn her soul, nor submit to such an infamy: that she was his

wife, and would never call herself by any other name, whatever might follow on it, since the process still depended at Rome. That Lord having written a relation of what had passed between him and her, shewed it to her; but she dashed with a pen all those places in which she was called Princess Dowager; and would receive no service at any one's hands, but of those who called her Queen: and she continued to be still served as Queen by all about her. Against which, though the King used all the endeavours he could, not without both threatening and violence to some of the servants, yet he could never drive her from it; and what he did in that, was thought far below that height of mind which appeared in his other actings; for, since he had stripped her of the real greatness of a Queen, it seemed too much, to vex her for keeping up the pageantry of it. Cott. Lib. Otho C. 10.

But the news of this made great impressions elsewhere. The Emperor received the King's justification very coolly, and said he would consider what he was to do upon it, which was looked on as a declaration of war. The French King, though he expressed still great friendship to the King, yet was now resolved to link himself to the Pope; for the crafty Pope, apprehending that nothing made the King of England so confident, as that he knew his friendship was necessary to the French King, and fearing they had resolved to proceed at once to the putting down the papal authority in their kingdoms (which it appears they had once agreed to do,) resolved by all means to make sure of the French King, which, as it would preserve that kingdom in his obedience, so would perhaps frighten the King of England from proceeding to such extremities; since that Prince, in whose conjunction he trusted so much, had forsaken him: therefore the Pope did so vigorously pursue the treaty with Francis, that it was as good as ended at this time, and an interview was projected between them at Marseilles. The Pope did also grant him so great power over his own clergy, that he could scarce have expected more, if he had set up a patri- The Pope unites himself to the French King.

arch in France; so that Francis did resolve to go on in the designs, which had been concerted between him and the King of England, no further; but still he considered his alliance so much that he promised to use his most effectual intercession with the Pope to prevent all censures and bulls against the King; and if it were possible to bring the matter to an amicable conclusion. And the Emperor was not ill-pleased to see France and England divided. Therefore, though he had at first opposed the treaty between the Pope and Francis, yet afterwards he was not troubled that it took effect, hoping that it would disunite those two kings, whose conjunction had been so troublesome to him.

And condemns the King's proceedings in England

But when the news was brought to Rome of what was done in England, with which it was also related that books were coming out against the Pope's supremacy, all the cardinals of the imperial faction pressed the Pope to give a definitive sentence, and to proceed to censures against the King. But the more moderate cardinals thought, England was not to be thrown away with such precipitation: and therefore a temper was found, that a sentence should be given upon what had been attempted in England, by the Archbishop of Canterbury (which in the style of the canon law were called the *attentates*,) for it was pretended that the matter depending in the court of Rome, by the Queen's appeal, and the other steps that had been made, it was not in the Archbishop's power to proceed to any sentence. Therefore in general it was declared, that all that had been attempted or done in England about the King's suit of divorce was null, and that the King by such attempts was liable to excommunication, unless he put things again in the state they were in, and that before September next, and that then they would proceed further; and this sentence was affixed in Dunkirk soon after.

The King resolving to follow the thing as far as it was possible, sent a great embassy to Francis, who was then on his journey to Marseilles, to dissuade

the interview and marriage, till the Pope gave the King satisfaction. But the French King was engaged in honour to go forward; yet he protested he would do all that lay in his power to compose the matter, and that he would take any injury that were done to the King as highly as if it were done to himself; and he desired the King would send some to Marseilles, who thereupon sent Gardiner and Sir Francis Brian.

Queen Elizabeth born.

But at this time (viz. September 7th, 1533,) the Queen brought forth a daughter, who was christened Elizabeth,* (the renowned Queen of England,) the Archbishop of Canterbury being her godfather. She was soon after declared Princess of Wales, though lawyers thought that against law; for she was only heir presumptive, but not apparent, to the crown, since a son coming after, he must be preferred. Yet the King would justify what he had done in his marriage with all possible respect, and having before declared the Lady Mary Princess of Wales, he did now the same in favour of the Lady Elizabeth.

An interview between the Pope and French King at Marseilles.

The interview between the Pope and the French King was at Marseilles in October, where the marriage was made up between the Duke of Orleans and Catherine de Medici; to whom, besides one hundred thousand crowns portion, the principality of many towns in Italy, as Milan, Reggio, Pisa, Leghorn, Parma, and Piacenza, and the duchy of Urbio, were given. To the former the Pope pretended in the right of the popedom, and to the last in the right of the house of Medici. But the French King was to clear all those titles by his sword. As for the King's business, the Pope referred it to the consistory. But it seems there was a secret transaction between him and Francis, that if the King would in all other things return to his wonted obedience to the apostolic see, and submit the matter to

The Pope promises to give sentence for the King of England's divorce.

* Queen Elizabeth was born the 13th and 14th day of September, for so Cranmer wrote to Hawkins, and says, that he himself was godfather at the christening, and the Duchess of Norfolk, and the Marchioness of Dorset, were godmothers.—[N B. Queen Elizabeth was undoubtedly born on the 7th of September. See Hallam's Constitutional History of England, vol 1 p. 66.—Mr. Soames, in his History of the Reformation, had fallen into the *mistake* from this very note. See vol. 1. 399.—N.]

the judgment of the consistory (excepting only to the cardinals of the imperial faction as partial and incompetent judges), the decision should be made to his heart's content. This I collect from what will afterwards appear. The King, upon the sentence that was passed against him, sent Bonner to Marseilles, who, procuring an audience of the Pope, delivered to him the authentic instrument of the King's appeal from him to the next general council lawfully called. At this the Pope was much incensed, but said he would consider of it in consistory; and, having consulted about it there, he answered, that the appeal was unlawful, and therefore he rejected it; and for a general council, the calling of it belonged to him and not to the King. About the same time the Archbishop of Canterbury being threatened with a process from Rome, put in also his appeal to the next general council. Upon which Bonner delivered the threatenings that he was ordered to make, with so much vehemency and fury, that the Pope talked of throwing him in a cauldron of melted lead, or of burning him alive; and he apprehending some danger made his escape. About the middle of November the interview ended, the Pope returning to Rome, and the French King to Paris, a firm alliance being established between them. But upon the Duke of Orleans his marrying the Pope's niece, I shall add one observation, that will neither be unpleasant nor impertinent. The Duke of Orleans was then but fourteen years and nine months old, being born on the last of March, 1518, and yet was believed to have consummated his marriage, the very first night after: so the Pope's historians tell us with much triumph; though they represented that improbable, if not impossible in Prince Arthur, who was nine months older when he died.

Fidel serv Infid. subdit Responsio

Bzovius.

The French King prevails with the King of England to submit to the Pope

Upon the French King's return from Marseilles, the Bishop of Paris was sent over to the King; which (as may be reasonably collected) followed upon some agreement made at Marseilles, and he prevailed with the King to submit the whole matter to the Pope and

the consistory, on such terms that the Imperialists should not be allowed a voice, because they were parties, being in the Emperor's power. None that have observed the genius of this King, can think that, after he had proceeded so far, he would have made this submission without very good assurances; and if there had not been great grounds to expect good effects from it, the Bishop of Paris would not in the middle of winter have undertaken a journey from England to Rome. But the King, it seems, would not abase himself so far as to send any submission in writing, till he had fuller assurances. The Lord Herbert has published a letter (which he transcribed from the original, written by the Archbishop of York and the Bishop of Duresme, to the King, the 11th of May, 1534,) giving an account of a conference they had with Queen Katherine; in which, among other motives they used, this was one, to persuade her to comply with what the King had done: that the Pope had said at Marseilles, That if the King would send a proxy to Rome, he would give the cause for him against the Queen, because he knew his cause was good and just. Which is a great presumption, that the Pope did really give some engagements to the French King about the King's business.

When the Bishop of Paris came to Rome, the motion was liked; and it was promised, that if the King sent a promise of that under his hand, with an order to his proxies to appear in court, there should be judges sent to Cambray to form the process, and then the matter should be determined for him at Rome. This was sent to the King, with the notice of the day that was prefixed for the return of his answer, and with other motives which must have been very great, since they prevailed so much. For in answer there was a courier dispatched from the King, with a formal promise under his hand. And now the matter seemed at a point, the French interest was great in the court of Rome; four new cardinals had been made at Marseilles, and there were six of that faction before, which with the Pope's creatures, and the indifferent or venal

Which was well received at Rome.

Hist. Council of Trent, by Padre Paulo.

voices, balanced the imperial faction; so that a wound that was looked on as fatal, was now almost healed. But God in his wise and unsearchable providence had designed to draw other great ends out of this rupture, and therefore suffered them that were the most concerned to hinder it, to be the chief instruments of driving it on. For the cardinals of the imperial faction were very active, they liked not the precedent of excluding the cardinals of the nations concerned out of any business. But above all things they were to hinder a conjunction between the Pope and the King of England; for the Pope being then allied to France, there was nothing the Emperor feared more than the closing the breach with England, which would make the union against him so much stronger. Therefore, when the day that had been prefixed for the return of the courier from England, was elapsed, they all pressed the Pope to proceed to a sentence definitive, and to censures. Bellay, the bishop of Paris, represented the injustice of proceeding with so much precipitation, since where there were seas to cross, in such a season, many accidents might occasion the delay of the express. The King of England had followed this suit six years, and had patience so long; therefore he desired the delay of six days, and if in that time no return came, they might proceed. But the Imperialists represented, that those were only delays to gain time; and that the King of England was still proceeding in his contempt of the apostolic see, and of the cardinals, and publishing books and libels against them. This so wrought on the angry Pope, that, without consulting his ordinary prudence, he brought the business into the consistory, where the plurality of voices carried it to proceed to a sentence. And though the process had been carried on all that winter in their usual forms, yet it was not so ripe, but by the rules of the consistory, there ought to have been three sessions before sentence was given. But they concluded all in one day; and so, on the 23d of March, the marriage between the King and Queen Katherine was declared good, and the King required to take her

But the Imperialists opposed it.

And with great precipitation procure a sentence against the King.

as his wife; otherwise censures were to be denounced against him.

Two days after that, the courier arrived from England, with the King's submission under his hand in due form, and earnest letters from the French King to have it accepted, and so the business might be composed. When this was known at Rome, all the indifferent and wise cardinals (among whom was Farnese, that was afterwards Pope Paul the Third,) came to the Pope, and desired that it might be again considered before it went further. So it was brought again into the consistory. But the secret reason of the Imperialists opposing it, was now more pressing, since there was such an appearance of a settlement, if the former sentence were once recalled. Therefore they so managed the matter, that it was confirmed anew by the Pope and the consistory, and they ordered the Emperor to execute the sentence.

The King resolves to abolish the Pope's power in England

The King was now in so good hope of his business, that he sent Sir Edward Karne to Rome to prosecute his suit; who, on his way thither, met the Bishop of Paris, coming back with this melancholy account of his unprosperous negotiation. When the King heard it, and understood that he was used with so much scorn and contempt at Rome, being also the more vexed, because he had come to such a submission, he resolved then to break totally from Rome. And in this he was beforehand with that court: for, judging it the best way to procure a peace, to manage the war vigorously, he had held a session of parliament from the 15th of January till the 30th of March, in which he had procured a great change of the whole constitution of the government of the church. But before I give an account of that, I shall first open all the arguments and reasons, upon which I find they proceeded in this matter.

Which had been much disputed there

The Pope's power had been then for four years together much examined and disputed in England; in which they went by these steps, one leading to another. They first controverted his power of dispensing with the law of God. From that they went to

examine what jurisdiction he had in England; upon which followed the convicting the clergy of a *præmunire*, with their submission to the King. And that led them to controvert the Pope's right to *annates*, and other exactions, which they also condemned. The condemning all appeals to Rome followed that naturally. And now so many branches of that power were cut off, the root was next struck at, and the foundations of the papal authority were examined. For near a year together there had been many public debates about it; and both in the parliament and convocation the thing was long disputed, and all that could be alleged on both sides was considered. The reader will be best able to judge of their reasons (and thereby of the ripeness of their judgments, when they enacted the laws that passed in this parliament), when he sees a full account of them; which I shall next set down, not drawn from the writings and apologies that have been published since, but from these that came out about that time. For then were written The Institution for the necessary Erudition of a Christian Man, concluded in the convocation, and published by authority; and another book, *De Differentia Regiæ et Ecclesiasticæ Potestatis*. The former of these was called the Bishops', and the latter the King's book. Gardiner also wrote a book, *De vera Obedientia*, to which Bonner prefixed a preface upon the same subject. Stokesly, bishop of London, and Tonstal, bishop of Duresme, wrote a long letter in defence of the King's proceedings in this matter to Cardinal Pole: from these writings, and the sermons preached by some bishops at this time, with other authentic pieces, I have extracted the substance of the arguments upon which they grounded their laws, which I shall divide in two heads. The one, of the reasons for rejecting the Pope's pretended power: the other, for setting up the King's supremacy with the explanations and limitations of it.

Pelerine Inglese.

Hall.

The arguments upon which it was rejected.

"First, of the Pope's power, they declared that they found no ground for it in the Scripture. All the apostles were made equal by Christ, when he com-

mitted the church to their care in common. And he did often declare, there was no superiority of one above another. St. Paul claimed an equality with the chief apostles, both Peter, James, and John; and when he thought St. Peter blameworthy, he withstood him to his face. But whatsoever pre-eminence St. Peter might have, that was only personal, and there was no reason to affix it to his chair at Rome, more than at Antioch. But if any see be to be preferred before another, it should be Jerusalem, where Christ died, and out of which the faith was propagated over all nations, Christ commanding his disciples to begin their preaching in it; so that it was truly the mother church, and is so called by St. Paul; whereas in the Scripture, Rome is called Babylon, according to Tertullian and St. Jerome.

"For the places brought from Scripture in favour of the papacy, they judged that they did not prove any thing for it. That 'thou art Peter,' and 'upon this rock I will build my church,' if it prove any thing in this matter, would prove too much; even that the church was founded on St. Peter, as he was a private person, and so on the popes in their personal capacity. But both St. Ambrose, St. Jerome, and St. Austin think, that by the rock, the confession he had made was only to be meant. Others of the fathers thought, by the rock, Christ himself was meant, who is the only true foundation of the church; though in another sense all the apostles are also called foundations by St. Paul. That, 'tell the church,' is thought by Gerson and Æneas Silvius, (afterwards Pope Pius the Second) rather to make against the Pope and for a general council. And the fathers have generally followed St. Chrysostom and St. Austin, who thought that the giving of the keys of the kingdom of heaven, and the charge, 'Feed my sheep,' were addressed to St. Peter, in behalf of all the rest of the apostles. And that, 'I have prayed for thee, that thy faith fail not,' was only personal, and related to his fall, which was then imminent. It is also clear by St. Paul, that every apostle had his peculiar province, beyond which

he was not to stretch himself; and St. Peter's province was the circumcision, and his the uncircumcision, in which he plainly declares his equality with him.

"This was also clear from the constant tradition of the church. St. Cyprian was against appeals to Rome, and would not submit to Pope Stephen's definition in the point of rebaptizing of heretics; and expressly says, 'That all the apostles were equal in power, and that all the bishops were also equal, since the whole office and episcopate was one entire thing, of which every bishop had a complete and equal share.' And though some places are brought out of him concerning the unity of the Roman church, and of other churches with it; yet those places have no relation to any authority that the Roman church had over other churches, but were occasioned by a schism that Novatian had made there at Rome, being elected in opposition to the bishop that was rightly chosen: and of that unity only St. Cyprian writes in those places. But from all his epistles to the bishops of Rome, it is visible he looked on himself as their equal, since he calls them brother, colleague, and fellow-bishop. And whatsoever is said by any ancient writer of St. Peter's chair, is to be understood of the pure gospel, which he delivered, as St. Austin observes, that by 'Moses' chair' is to be understood, 'the delivering of Moses' law.' But though St. Peter sat there, the succeeding popes have no more right to pretend to such authority, than the kings of Spain to claim the Roman empire, because he that is now their King, is Emperor. When Constantine turned Christian, the dignity of the chief city of the empire made Rome to be accounted the first see; but by the general council of Nice, it was declared, that the patriarchs of Alexandria and Antioch had the same authority over the countries round about them, that he of Rome had over those that lay about that city. It is true, at that time the Arian heresy, having spread generally over the eastern churches, from which the western were free, the oppressed catholic bishops of the east made appeals to Rome, and extolled that see

by a natural maxim in all men, who magnify that from which they have protection. But the second general council took care, that that should not grow a precedent, for they decreed that every province should be governed by its own synod, and that bishops, when they were accused, must first be judged by the bishops of their own province, and from them they might appeal to the bishops of the diocese, but no higher appeal was allowed; and by that council it appears, what was the foundation of the greatness of the Bishop of Rome; for when Constantinople was made the seat of the empire and new Rome, it had the same privileges that old Rome had, and was set next to it in order and dignity. In a council at Milevi, in which St. Austin sat, they appointed that every clerk, that should appeal to any bishop beyond the sea, should be excommunicated. And when Faustianus was sent by the Pope to the African churches to claim the right of receiving appeals, and pretended a canon of the council of Nice for it, the pretension was rejected by the African fathers, who acknowledged no such right, and had never heard of that canon. Upon which they sent to the eastern churches, and search was every where made for the copies of the canons of that council; but it was found that it was a forgery. From whence two things were observable: the one, that the church in that age had no tradition of any Divine institution for the authority of that see, since as the popes, who claimed it, never pretended to any such thing; so the African bishops, by their rejecting that power, shew that they knew nothing of any Divine warrant, all the contest being only about a canon of the church. It also appeared how early the church of Rome aspired to power, and did not stick at making use of forged writings to support it. But Pope Agatho, more modestly writing to the Emperor in his own name, and in the name of all the synods that were subject to his see, calls them 'a few bishops in the northern and western parts.' When afterwards the patriarch of Constantinople was declared by the Emperor Mauritius, 'the universal bishop,' Gregory

the Great did exclaim against the ambition of that title, as being equal to the pride of Lucifer; and declared, that he who assumed it was the forerunner of Antichrist; saying, that none of his predecessors had ever claimed such a power. And this was the more observable, since the English were converted by those whom he sent over; so that this was the doctrine of that see, when this church received the faith from it.

"But it did not continue long within those limits; for Boniface the Third assumed that title, upon the grant of Phocas. And as that Boniface got the spiritual sword put in his hand, so the eighth of that name pretended also to the temporal sword; but they owe these powers to the industry of those popes, and not to any donation of Christ's. The popes, when they are consecrated, promise to obey the canons of the eight first general councils; which, if they observe, they will receive no appeals, nor pretend to any higher jurisdiction than these give to them, and the other patriarchs equally.

"As for the decrees of later councils, they are of less authority. For those councils consisted of monks and friars in great part, whose exemptions obtained from Rome, obliged them to support the authority of that court; and those who sat in them knew little of the Scriptures, fathers, or the tradition of the church, being only conversant in the disputes and learning of the schools. And for the Florentine council, the eastern churches, who sent the Greek bishops that sat there, never received their determination, neither then, nor at any time since.

"Many places were also brought out of the fathers to shew, that they did not look on the bishops of Rome as superior to other bishops: and that they understood not those places of Scripture, which were afterwards brought for the Pope's supremacy in that sense; so that if tradition be the best expounder of Scripture, those latter glosses must give place to the more ancient. But that passage of St. Jerome, in which he equals the bishops of Eugubium and Con-

stantinople to the Bishop of Rome, was much made use of, since he was a presbyter of Rome, and so likely to understand the dignity of his own church best. There were many things brought from the contests that other sees had with Rome, to shew, that all the privileges of that and other sees, were only founded on the practice and canons of the church, but not upon any Divine warrant. Constantinople pretended to equal privileges. Ravenna, Milan, and Aquileia, pretended to a patriarchal dignity and exemption. Some archbishops of Canterbury contended, that popes could do nothing against the laws of the church; so Laurence and Dunstan, Robert Grostest, bishop of Lincoln, asserted the same, and many popes confessed it. And to this day no constitution of the popes is binding in any church, except it be received by it; and in the daily practice of the canon law, the customs of churches are pleaded against papal constitutions; which shews their authority cannot be from God, otherwise all must submit to their laws. And from the latter contest up and down Europe, about giving investitures, receiving appeals, admitting of legates, and papal constitutions, it was apparent that the papal authority was a tyranny, which had been managed by cruel and fraudulent arts, but was never otherwise received in the church, than as a conquest to which they were constrained to yield. And this was more fully made out in England, from what passed in William the Conqueror's and Henry the Second's time, and by the statutes of provisors in many kings' reigns, which were still renewed, till within a hundred years of the present time."

Upon these grounds they concluded, that the Pope's power in England had no foundation, neither in the law of God, nor in the laws of the church, or of the land.

The arguments for the King's supremacy

"As for the King's power over spiritual persons, and in spiritual causes, they proved it from the Scriptures, in the Old Testament, they found the kings of Israel intermeddled in all matters ecclesiastical. Samuel, though he had been judge, yet acknowledged

From the Old Tes-

Saul's authority: so also did Abimelech the high priest, and appeared before him when cited to answer upon an accusation. And Samuel (1 Sam. xv. 18.) says, "He was made the head of all the tribes." Aaron in that was an example to all the following high priests who submitted to Moses. David made many laws about sacred things, such as the order of the courses of the priests and their worship; and when he was dying, he declared to Solomon how far his authority extended. He told him, (1 Chron. xxviii. 21.) 'That the courses of the priests, and all the people, were to be wholly at his commandment:' pursuant to which, Solomon, (2 Chron. viii. 14, 15.) did appoint them 'their charges in the service of God, and both the priests and Levites departed not from his commandment in any matter:' and though he had turned out Abiathar from the high-priesthood, yet they made no opposition. Jehosaphat, Hezekiah, and Josias, made likewise laws about ecclesiastical matters.

And the New

"In the New Testament Christ himself was obedient; he paid taxes, he declared that he pretended to no earthly kingdom, he charged the people to 'render to Cæsar the things that were Cæsar's,' and his disciples not to affect temporal dominion, as the lords of the nations did. And though the magistrates were then heathens, yet the apostles wrote to the churches to obey magistrates, to submit to them, to pay taxes; they call the king supreme, and say he is God's minister, to encourage them that do well, and to punish the evil-doers, which is said of all persons without exception, and every soul is charged to be subject to the higher power.

"Many passages were cited out of the writings of the fathers to shew, that they thought churchmen were included in these places as well as other persons; so that the tradition of the church was for the king's supremacy: and by one place of Scripture the king is called 'supreme,' by another he is called 'head,' and by a third 'every soul must be subject to him;' which laid together, make up this conclusion—that the king is the supreme head over all persons. In

the primitive church, the bishops in their councils made rules for ordering their dioceses, which they only called canons or rules, nor had they any compulsive authority, but what was derived from the civil sanctions.

"After the emperors were Christians they made many laws about sacred things, as may be seen in the Codes; and when Justinian digested the Roman law, he added many novel constitutions about ecclesiastical persons and causes. The emperors called general councils, presided in them, and confirmed them. And many letters were cited of popes to emperors to call councils, and of the councils to them to confirm their decrees. The election of the popes themselves was sometimes made by the emperors, and sometimes confirmed by them. Pope Hadrian in a synod decreed, that the emperor should choose the pope: and it was a late and unheard-of thing, before the days of Gregory VII. for popes to pretend to depose princes, and give away their dominions. This they compared to the pride of Antichrist and Lucifer. And the practices of the primitive church.

"They also argued from reason, that there must be but one supreme; and that the king being supreme over all his subjects, clergymen must be included, for they are still subjects. Nor can their being in orders change that former relation, founded upon the law of nature and nations, no more than wives or servants, by becoming Christians, were not, according to the doctrine of the apostles, discharged from the duties of their former relations. 1534. And from reason

"For the great objection from those offices that are peculiar to their functions it was answered—that these notwithstanding the king might well be supreme head; for in the natural body, there were many vital motions, that proceeded not from the head, but from the heart and the other inward parts and vessels; and yet the head was still the chief seat and root of life: so though there be peculiar functions appropriated to churchmen, yet the king is still head, having authority over them, and a power to direct and coerce them in these.

And from the laws of England.

"From that they proceeded to shew, that in England the kings have always assumed a supremacy in ecclesiastical matters. They began with the most ancient writing that relates to the Christian religion in England then extant, Pope Eleutherius's letter to King Lucius, in which he is twice called by him 'God's vicar in his kingdom;' and he writ in it, 'that it belonged to his office, to bring his subjects to the holy church,' and to maintain, protect, and govern them in it. Many laws were cited, which Canutus, Ethelred, Edgar, Edmond, Athelstan, and Ina had enacted concerning churchmen; many more laws since the Conquest were also made, both against appeals to Rome, and bishops going out of the kingdom without the king's leave.

"The whole business of the articles of Clarendon, and the contests that followed between King Henry II. and Thomas Becket were also opened. And though a bishop's pastoral care be of Divine institution, yet as the kings of England had divided bishopricks as they pleased, so they also converted benefices from the institutions of the founders, and gave them to cloisters and monasteries as King Edgar did: all which was done by the consent of their clergy and nobility, without dependance on Rome; they had also granted these houses exemption from episcopal jurisdiction, so Ina exempted Glastenbury, and Offa St. Albans, from their bishop's visitation: and this continued even till the days of William the Conqueror; for he, to perpetuate the memory of the victory he obtained over Harold, and to endear himself to the clergy, founded an abbey in the field where the battle was fought, and called it Battle Abbey; and in the charter he granted them these words are to be found:—'It shall be also free and quiet for ever from all subjection to bishops, or the dominion of any other persons, as Christ's Church in Canterbury is.' Many other things were brought out of King Alfred's laws and a speech of King Edgar's, with several letters written to the popes from the kings, the parliaments, and the clergy of England, to shew that their kings

did always make laws about sacred matters, and that their power reached to that, and to the persons of churchmen as well as to their other subjects."

The qualification of that supremacy.

But at the same time that they pleaded so much for the king's supremacy and power of making laws for restraining and coercing his subjects, it appeared that they were far from vesting him with such an absolute power as the popes had pretended to; for they thus defined the extent of the king's power:—'To them specially and principally it pertaineth to defend the faith of Christ and his religion, to conserve and maintain the true doctrine of Christ, and all such as be true preachers and setters-forth thereof; and to abolish abuses, heresies, and idolatries, and to punish with corporal pains such as of malice be the occasion of the same. And finally, to oversee and cause that the said bishops and priests do execute their pastoral office truly and faithfully, and specially in these points, which by Christ and his apostles was given and committed to them; and in case they shall be negligent in any part thereof, or would not diligently execute the same, to cause them to redouble and supply their lack: and if they obstinately withstand their prince's kind monition, and will not amend their faults, then and in such case to put others in their rooms and places. And God hath also commanded the said bishops and priests to obey with all humbleness and reverence, both kings, and princes, and governors, and all their laws, not being contrary to the laws of God, whatsoever they be: and that not only *propter iram* but also *propter conscientiam:* that is to say, not only for fear of punishment, but also for discharge of conscience.'

Necessary erudition upon the sacrament of orders.

Thus it appears, that they both limited obedience to the King's laws, with a due caution of their not being contrary to the law of God, and acknowledged the ecclesiastical jurisdiction in the discharge of the pastoral office, committed to the pastors of the church by Christ and his apostles; and that the supremacy then pretended to was no such extravagant power as some imagine.

"Upon the whole matter it was concluded, That

The necessity of extirpating the Pope's power.

the Pope's power in England had no good foundation, and had been managed with as much tyranny as it had begun with usurpation; the exactions of their courts were every where heavy, but in no place so intolerable as in England: and though many complaints were made of them in these last three hundred years, yet they got no ease, and all the laws about provisors were still defeated and made ineffectual; therefore they saw it was impossible to moderate their proceedings; so that there was no other remedy, but to extirpate their pretended authority, and thenceforth to acknowledge the Pope only bishop of Rome, with the jurisdiction about it defined by the ancient canons: and for the King to re-assume his own authority, and the prerogatives of his crown; from which the kings of England had never formally departed, though they had for this last hundred years connived at an invasion and usurpation upon them, which was no longer to be endured."

1534. Pains taken to satisfy Fisher about it.

These were the grounds of casting off the Pope's power, that had been for two or three years studied and inquired into by all the learned men in England; and had been debated both in convocation and parliament; and, except Fisher, bishop of Rochester, I do not find that any bishop appeared for the Pope's power: and for the abbots and priors, as they were generally very ignorant, so what the Cardinal had done in suppressing some monasteries, and what they now heard, that the court had an eye on their lands, made them to be as compliant as could be: but Fisher was a man of great reputation, and very ancient, so that much pains was taken to satisfy him. A week before the parliament sat down the Archbishop of Canterbury proposed to him, that he, and any five doctors, such as he should choose, and the Bishop of London, and five doctors with him, might confer about it, and examine the authorities of both sides; that so there might be an agreement among them by which the scandal might be removed, which otherwise would be taken from their janglings and contests among themselves. Fisher accepted of this, and Stokesley

wrote to him on the 8th of January,—that he was ready, whenever the other pleased, and desired him to name time and place; and if they could not agree the matter among themselves, he moved to refer it to two learned men, whom they should choose, in whose determination they would both acquiesce. How far this overture went I cannot discover, and perhaps Fisher's sickness hindered the progress of it. But now on the 15th of January, the parliament sat down; by the Journals I find no other bishops present but the Archbishop of Canterbury, the Bishops of London, Winchester, Lincoln, Bath and Wells, Landaff, and Carlisle. There were also twelve abbots present, but upon what pretences the rest excused their attendance I do not know; perhaps some made a difference between submitting to what was done, and being active and concurring to make the change. During the session a bishop preached every Sunday at Paul's cross, and declared to the people, that the Pope had no authority at all in England. In the two former sessions the bishops had preached, that the general council was above the Pope, but now they struck a note higher. This was done to let the people see what justice and reason was in the acts that were then passing, to which I now turn; and shall next give an account of this great session of parliament, which I shall put rather in the natural method according to the matter of the acts, than in the order of time as they passed.

The original is in the Cott. Libr. Otho. C. 10.

On the 9th of March, a bill came up from the Commons for discharging the subjects of all dependance on the court of Rome; it was read the first time in the House of Lords the 13th of March, and on the 14th was read the second time and committed. The committee reported it on the 19th, by which it appears there was no stiff nor long opposition; and he that was likeliest to make it was both obnoxious and absent, as will afterwards appear. On the 19th it was read the third time, and on the 20th the fourth time, and then passed without any protestation. Some provisos were added to it by the Lords, to which the

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Commons agreed, and so it was made ready for the royal assent.

The act for taking away the Pope's power.

"In the preamble the intolerable exactions for Peter-pence, provisions, pensions, and bulls of all sorts are complained of; which were contrary to all laws, and grounded only on the Pope's power of dispensing, which was usurped. But the King and the Lords and Commons within his own realm had only power to consider how any of the laws were to be dispensed with or abrogated; and since the King was acknowledged the supreme head of the Church of England, by the prelates and clergy in their convocations, therefore it was enacted, that all payments made to the apostolic chamber, and all provisions, bulls, or dispensations should from thenceforth cease. But that all dispensations or licenses for things that were not contrary to the law of God, but only to the law of the land, should be granted within the kingdom by, and under the seals of, the two Archbishops in their several provinces; who should not presume to grant any contrary to the laws of Almighty God, and should only grant such licenses as had been formerly in use to be granted; but give no license for any new thing till it were first examined by the King and his council whether such things might be dispensed with; and that all dispensations which were formerly taxed at or above 4*l.* should be also confirmed under the great seal. Then many clauses follow about the rates of licenses and the ways of procuring them. It was also declared, that they did not hereby intend to vary from Christ's church about the articles of the catholic faith of Christendom, or in any other things declared by the Scriptures, and the word of God, necessary for their salvation; confirming withal the exemptions of monasteries formerly granted by the Bishop of Rome, exempting them still from the Archbishop's visitations; declaring that such abbeys, whose elections were formerly confirmed by the Pope, shall be now confirmed by the King; who likewise shall give commissior under his great seal for visiting them: providing also, that

It is the act 21 in the Statute Book, 27 in the Record, and 8 in the Journal.

licenses and other writs obtained from Rome before the 12th of March in that year should be valid and in force, except they were contrary to the laws of the realm; giving also to the King and his council power to order and reform all indulgences and privileges (or the abuses of them) which had been granted by the see of Rome. The offenders against this act were to be punished according to the statutes of *provisors* and *præmunire*."

The judgments passed on that act.

This act as it gave great ease to the subject, so it cut off that base trade of indulgences about Divine laws, which had been so gainful to the church of Rome, but was of late fatal to it. All in the religious houses saw their privileges now struck at, since they were to be reformed as the King saw cause, which put them in no small confusion. Those that favoured the Reformation rejoiced at this act, not only because the Pope's power was rooted out, but because the faith that was to be adhered to was to be taken from those things which the Scriptures declared necessary to salvation: so that all their fears were now much qualified, since the Scripture was to be the standard of the catholic faith. On the same day that this bill was passed in the House of Lords, another bill was read for confirming the succession to the crown in the issue of the King's present marriage with Queen Anne. It was read the second time on the 21st of March and committed. It was reported on the 23d, and read the third time and passed, and sent down to the Commons, who sent it back again to them on the 26th; so speedily did this bill go through both houses without any opposition.

Act about the succession to the crown, 22 in the Statute Book, 34 in the Record 26 in the Journal.

The preamble of it was: "The distractions that had been in England about the succession to the crown, which had occasioned the effusion of much blood, with many other mischiefs, all which flowed from the want of a clear decision of the true title, from which the popes usurped a power of investing such as pleased them in other princes' kingdoms; and princes had often maintained such donations for their other ends; therefore, to avoid the like inconveniences, the King's

former marriage with the Princess Katherine is judged contrary to the laws of God, and void, and of no effect; and the sentence passed by the Archbishop of Canterbury, annulling it, is confirmed, and the Lady Katherine is thenceforth to be reputed only Princess Dowager, and not Queen, and the marriage with Queen Anne is established and confirmed: and marriages within the degrees prohibited by Moses (which are enumerated in the statute) are declared to be unlawful, according to the judgment of the convocations of this realm, and of the most famous universities and learned men abroad; any dispensations to the contrary notwithstanding, which are also declared null, since contrary to the laws of God; and all that were married within these degrees are appointed to be divorced, and the children begotten in such marriages were declared illegitimate: and all the issue that should be between the King and the present Queen is declared lawful, and the crown was to descend on his issue male by her, or any other wife; or in default of issue male, to the issue female by the Queen; and in default of any such to the right heirs of the King's Highness for ever: and any that after the 1st of May should maliciously divulge any thing to the slander of the King's marriage, or of the issue begotten in it, were to be adjudged for misprision of treason, and to suffer imprisonment at the King's will, and forfeit all their goods and chattels to him: and if the Queen outlived the King, she is declared regent till the issue by her were of age, if a son eighteen, and if a daughter sixteen years of age; and all the King's subjects were to swear that they would maintain the contents of this act, and whoever being required did refuse it, was to be judged guilty of misprision of treason, and punished accordingly." The oath it seems was likewise agreed on in the House of Lords, for the form of it is set down in their Journal as follows:

The oath about the

"Ye shall swear to bear faith, truth, and obedience alonely to the King's Majesty, and to his heirs of his body of his most dear and entirely beloved lawful wife Queen Anne, begotten and to be begotten. And

further, to the heirs of our Sovereign Lord, according to the limitation in the statute made for surety of his succession in the crown of this realm mentioned and contained, and not to any other within this realm, nor foreign authority or potentate. And in case any oath be made, or hath been made, by you to any person or persons, that then ye to repute the sam as vain and annihilate. And that to your cunning, wit, and uttermost of your power, without guile, fraud, or other undue means, ye shall observe, keep, maintain, and defend the said act of succession, and all the whole effects and contents thereof; and all other acts and statutes made in confirmation or for execution of the same, or of any thing therein contained. And this ye shall do against all manner of persons of what estate, dignity, degree, or condition soever they be; and in no wise to do or attempt, nor to your power suffer to be done or attempted, directly or indirectly, any thing or things, privily or appartly, to the let, hindrance, damage, or derogation thereof, or of any part of the same, by any manner of means, or for any manner of pretence. So help you God, and all saints, and the holy evangelists."

And thus was the King's marriage confirmed. But when the Commons returned this bill to the Lords, they sent them another with it concerning the proceedings against heretics. There had been complaints made formerly, as was told before, of the severe and intolerable proceedings in the ecclesiastical courts against heretics: and, on the 4th of February, the Commons sent up a complaint made by one Thomas Philips against the Bishop of London, for using him cruelly in prison upon the suspicion of heresy; but the Lords doing nothing in it, on the 1st of March the House of Commons sent some of their number to the Bishop, requiring him to make answer to the complaints exhibited against him, who acquainted the House of Lords with it the next day: but as they had formerly laid aside the complaint as not worthy of their time, so they all with one consent answered, That it was not fit for any of the peers to appear

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or answer at the bar of the House of Commons. Upon this the House of Commons, finding they could do nothing in that particular case, resolved to provide an effectual remedy for such abuses for the future: and therefore sent up a bill about the punishment of heretics, which was read that day for the first time, and the second and third time on the 27th and 28th, in which it passed.

Act about punishing heretics, 14 in the Statute Book, 33 in the Record, 31 in the Journal.

"The act was a repeal of the statute of the 2d of Henry IV. by which bishops upon suspicion of heresy might commit any to prison, as was before told; but in that act there was no declaration made, what was heresy, except in the general words of what was contrary to Scriptures, or canonical sanctions. This was liable to great ambiguity, by which men were in much danger, and not sufficiently instructed what was heresy. They also complained of their proceedings without presentment or accusation, contrary to what was practised in all other cases, even of treason itself; and many canonical sanctions had been established only by popes without any Divine precept, therefore they repealed the act of Henry IV. but left the statutes of Richard II. and Henry V. still in force, with the following regulation: That heretics should be proceeded against upon presentments, by two witnesses at least, and then be committed, but brought to answer to their indictments in open court; and if they were found guilty, and would not abjure, or were relapse, to be adjudged to death; the King's writ *de hæretico comburendo* being first obtained. It was also declared, that none should be troubled upon any of the Pope's canons or laws, or for speaking or doing against them. It was likewise provided that men committed for heresy might be bailed."

It may easily be imagined how acceptable this act was to the whole nation, since it was such an effectual limitation of the ecclesiastical power, in one of the uneasiest parts of it; and this regulation of the arbitrary proceedings of the spiritual courts, was a particular blessing to all that favoured reformation. But as the parliament was going on with these good laws,

there came a submission from the clergy then sitting in convocation, to be passed in parliament. With what opposition it went through the two houses of Convocation, and the House of Commons, is not known; for as the registers of the convocation are burnt, so it does not appear that there were any journals kept in the House of Commons at that time. On the 27th of March it was sent up to the Lords, and since the spiritual lords had already consented to it, there was no reason to apprehend any opposition from the temporal lords. The session was now near an end, so they made haste and read it twice that day, and the third time the next day, and passed it. The contents of it were: "The clergy acknowledged that all convocations had been and ought to be assembled by the King's writ; and promised, *in verbo sacerdotii*, that they would never make nor execute any new canons or constitutions, without the royal assent to them; and since many canons had been received that were found prejudicial to the King's prerogative, contrary to the laws of the land, and heavy to the subjects, that therefore there should be a committee of thirty-two persons, sixteen of the two houses of parliament, and as many of the clergy to be named by the King, who should have full power to abrogate or confirm canons as they found it expedient; the King's assent being obtained. This was confirmed by act of parliament, and by the same act all appeals to Rome were again condemned. If any party found themselves aggrieved in the archbishops' courts, an appeal might be made to the King in the court of Chancery; and the Lord Chancellor was to grant a commission under the great seal for some delegates, in whose determination all must acquiesce. All exempted abbots were also to appeal to the King; and it concluded with a proviso, that till such correction of the canons was made, all those which were then received should still remain in force, except such as were contrary to the laws and customs of the realms, or were to the damage or hurt of the King's prerogative."

The submission made by the clergy to the King, 19 in the Statute Book, 25 in the Record.

This proviso seemed to have a fair colour, that

there might still be some canons in force to govern the church by; but since there was no day prefixed to the determination of the commission, this proviso made that the act never took effect; for now it lay in the prerogative, and in the judge's breast, to declare what canons were contrary to the laws, or the rights of the crown: and it was judged more for the King's greatness to keep the matter undetermined, than to make such a collection of ecclesiastical laws as should be fixed and unmoveable. The last of the public acts of this session that related to the church, was about the election and consecration of bishops. On the 4th of February the Commons sent up a bill to the Lords about the consecration of bishops; it lay on the table till the 27th of February, and was then cast out, and a new one drawn. On what reason it was cast out, is not mentioned, and the Journal does not so much as say that it was once read. The new bill had its second reading the 3d of March, and on the 5th it was ordered to be engrossed; and on the 9th it was read the third time, and agreed to, and sent down to the Commons, who returned it to the Lords on the 16th of March. "The first part of it is a confirmation of their former act against *annates*, to which they added, that bishops should not be any more presented to the Bishop of Rome, or sue out any bulls there, but that all bishops should be presented to the Archbishop, and archbishops to any archbishop in the King's dominions, or to any four bishops whom the King should name; and that when any see was vacant, the King was to grant a license for a new election, with a letter missive, bearing the name of the person that was to be chosen: and twelve days after these were delivered, an election was to be returned by the dean and chapter, or prior and convent, under their seals. Then the person elected was to swear fealty to the King, upon which a commission was to be issued out, for consecrating and investing him with the usual ceremonies; after which he was to do homage to the King, and be restored both to the spiritualities and temporalities of his see, for which the King granted

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Act about election of bishops, 20 in Statute Book, 26 in the Record.

commissions during the vacancy; and whosoever refused to obey the contents of the act, or acted contrary to it, were declared within the statute of *præmunire*." There passed a private act for depriving the Bishops of Salisbury and Worcester, who were Cardinal Campegio and Jerome de Ghinuccii; the former deserved greater severities at the King's hand, but the latter seems to have served him faithfully, and was recommended both by the King and the French King, about a year before to a cardinal's hat. "The preamble of the act bears, that persons promoted to ecclesiastical benefices ought to reside within the kingdom for preaching the laws of almighty God, and for keeping hospitality; and since these prelates did not that, but lived at the court of Rome, and neglected their dioceses, and made the revenues of them be carried out of the kingdoms, contrary to the intentions of the founders, and to the prejudice of the realm, 3,000*l.* being at least carried yearly out of the kingdom; therefore their dioceses were declared vacant." Collect. Numb. 48.

But now I come to the act of the attainder of Elizabeth Barton and her complices, which I shall open fully, since it was the first step that was made to rebellion, and the first occasion of putting any to death upon this quarrel; and from it one will clearly see the genius of that part of the clergy that adhered to the interests of the court of Rome. On the 21st of February the bill was sent up to the Lords, and read the first time; on the 26th it was read the second time and committed; then the witnesses and other evidences were brought before them, but chiefly she, with all her complices, who confessed the crimes charged on her. It was reported and read the 6th of March the third time; and then the Lords addressed to the King to know his pleasure, whether Sir Thomas More, and others mentioned in the act as complices, or at least concealers, might not be heard to speak for themselves in the Star-chamber: as for the Bishop of Rochester he was sick, but he had written to the House all he had to say for his own ex- The act about the Maid of Kent, and her complices 12 in Statute Book, 31 in the Record, 7 in the Journal

cuse. What presumptions lay against Sir Thomas More I have not been able to find out, only that he wrote a letter to the Nun, at which the King took great exceptions; yet it appears he had a mean opinion of her, for in discourse with his beloved daughter, Mrs. Roper, he called her commonly "the silly nun." But for justifying himself, he wrote a full account of all the intercourse he had with the Nun and her complices to Cromwell; but though, by his other printed letters, both to Cromwell and the King, it seems some ill impressions remained in the King's mind about it, he still continued to justify not only his intentions but his actions in that particular. One thing is not unworthy of observation, that Rastal, who published his works in Queen Mary's time, printed the second letter he wrote to Cromwell, yet did not publish that account which he sent first to him concerning it, to which More refers himself in all his following letters; though it is more like a copy of that would have been preserved than of those other letters that refer to it. But perhaps it was kept up on design; for in Queen Mary's time, they had a mind to magnify that story of the Nun's, since she was thought to have suffered on her mother's account: and among the other things she talked, one was, that the Lady Mary should one day reign in England; for which Sanders has since thought fit to make a prophetess of her. And it is certain that More had a low opinion of her, which appears in many places of his printed letters; but that would have been much plainer if that full account he wrote of that affair had been published; and therefore, that one of their martyrs might not lessen the esteem of another, it was fit to suppress it. Whether my conjectures in this be well grounded or not is left to the reader's judgment. In conclusion, More's justifications, seconded with the good offices that the Lord Chancellor Audley and Cromwell did him (who as appears by his letters stood his friends in that matter), did so work on the King that his name was put out of the bill; and so the act was agreed on by both Houses, and the royal assent followed. The

See his Works, p. 1435.

matter was this: "Elizabeth Barton, of Kent, in the parish of Aldington, being sick and distempered in her brain, fell in some trances (it seems by the symptoms they were hysterical fits), and spoke many words that made great impressions on some about her, who thought her inspired of God; and Richard Master, parson of the parish, hoping to draw great advantages from this, went to Warham, archbishop of Canterbury, and gave him a large account of her speeches; who ordered him to attend her carefully, and bring him a further report of any new trances she might afterwards fall in. But she had forgot all she had said in her fits, yet the crafty priest would not let it go so; but persuaded her, that what she had said was by the inspiration of the Holy Ghost, and that she ought to own that it was so. Upon which he taught her to counterfeit such trances, and to utter such speeches as she had done before; so that after a while's practice she became very ready at it. The thing was much noised abroad, and many came to see her; but the priest had a mind to raise the reputation of an image of the blessed Virgin, that was in a chapel within his parish; that so pilgrimage being made to it, he might draw these advantages from it that others made from their famed images; but chose for his associate one Dr. Bocking, a canon of Christ's Church in Canterbury: upon which they instructed her to say in her counterfeited trances, that the blessed Virgin had appeared to her, and told her, she could never recover till she went and visited her image in that chapel. They had also taught her in her fits to make strange motions with her body, by which she was much disfigured, and to speak many godly words against sin and the new doctrines, which were called heresies; as also against the King's suit of divorce. It was also noised abroad on what day she intended to go and visit the image of the Virgin; so that about two thousand people were gathered together; and she being brought to the chapel, fell into her fits, and made many strange grimaces and alterations of her body, and spake many words of great piety, saying, That by the inspiration

of God she was called to be a religious woman, and that Bocking was to be her ghostly father. And within a little while she seemed, by the intercession of our Lady, to be perfectly recovered of her former distempers, and she afterwards professed a religious life. There were also violent suspicions of her incontinency, and that Bocking was a carnal as well as a spiritual father. She fell in many raptures and pretended she saw strange visions, heard heavenly melody, and had the revelation of many things that were to come, so that great credit was given to what she said; and people generally looked on her as a prophetess, and among those the late Archbishop of Canterbury was led away with the rest. A book was writ of her revelations and prophecies by one Deering, another monk, who was taken into the conspiracy, with many others. It was also given out that Mary Magdalen gave her a letter that was writ in heaven, which was shewed to many, being all writ in golden letters. She pretended when the King was last in Calais, that he being at mass, an angel brought away the sacrament and gave it to her, being then invisibly present, and that she was presently brought over the sea to her monastery again. But the design of all these trances was to alienate the people from their duty to the King; for the Maid gave it out, That God revealed to her, that if the King went on in the divorce, and married another wife, he should not be king a month longer, and in the reputation of Almighty God not one hour longer, but should die a villain's death. This she said was revealed to her in answer to the prayer she had put up to God, to know whether he approved of the King's proceedings or not? which coming to the knowledge of the Bishop of Rochester, and some others who adhered to the Queen's interests, they had frequent meetings with the Maid, and concealed what she spake concerning the King; and some of them gave such credit to what she said, that they practised on many others to draw them from their allegiance; and prevailed with several of the fathers and nuns of Sion, of the Charter-house in

London and Shene, and of the Observants of Richmond, Greenwich, and Canterbury, with a great many other persons."

This appeared signally at Greenwich, where the King lived most in summer, for one Peto being to preach in the King's chapel, denounced heavy judgments upon him to his face, and told him,—that many lying prophets had deceived him; but he, as a true Michaiah, warned him that the dogs should lick his blood, as they had done Ahab's, (for that prophecy about Ahab was his text) with many other bitter words, and concluded,—that it was the greatest misery of princes to be daily so abused by flatterers as they were. The King bore it patiently, and expressed no signs of any commotion; but, to undeceive the people, he took care that Dr. Corren or Curwin should preach next Sunday, who justified the King's proceedings, and condemned Peto as a rebel, a slanderer, a dog, and a traitor. Peto was gone to Canterbury, but another Observant friar of the same house, Elston, interrupted him and said, He was one of the lying prophets, that sought by adultery to establish the succession to the crown, and that he would justify all that Peto had said, and spake many other things with great vehemency; nor could they silence him, till the King himself commanded him to hold his peace. And yet all that was done to him or Peto was, that being called before the privy council, they were rebuked for their insolence; by which it appears, that King Henry was not very easily inflamed against them, when a crime of so high a nature was so slightly passed over.*

The insolence of some of the friars. Stow.

"Nor was this all, but the fathers that were in the conspiracy had confederated to publish these revelations in their sermons up and down the kingdom. They had also given notice of them to the Pope's ambassadors, and had brought the Maid to declare her revelations to them; they had also sent an account to Queen Katherine for encouraging her to stand

* It was not passed over silently; for Stow says, p. 561, "These friars and all the rest of the order were shortly after banished."

out and not submit to the laws; of which confederacy Thomas Abel was likewise one." The thing that was in so many hands could not be a secret, therefore the King, who had despised it long, ordered that, in November the former year, the Maid, and her complices, Richard Master, Dr. Bocking, Richard Deering, Henry Gold, a parson in London, Hugh Rich, an Observant friar, Richard Risby, Thomas Gold, and Edward Twaites, gentlemen; and Thomas Laurence, should be brought into the Star-chamber, where there was a great appearance of many lords: they were examined upon the premises, and did all, without any rack or torture, confess the whole conspiracy, and were adjudged to stand in Paul's all the sermon time; and, after sermon, the King's officers were to give every one of them his bill of confession, to be openly read before the people; which was done next Sunday, the Bishop of Bangor preaching, they being all set in a scaffold before him. This public manner was thought, upon good grounds, to be the best way to satisfy the people of the imposture of the whole matter; and it did very much convince them that the cause must needs be bad, where such methods were used to support it. From thence they were carried to the Tower, where they lay till the session of parliament; but when they lay there, some of their complices sent messages to the Nun to encourage her to deny all that she had said; and it is very probable that the reports that went abroad of her being forced or cheated into a confession, made the King think it necessary to proceed more severely against her. The thing being considered in parliament, it was judged a conspiracy against the King's life and crown. So the Nun, and Master, Bocking, Deering, Rich, Risby, and Henry Gold, were attainted of high treason. And the Bishop of Rochester, Thomas Gold, Thomas Laurence, Edward Twaites, John Adeson, and Thomas Abel, were judged guilty of misprision of treason; and to forfeit their goods and chattels to the King, and to be imprisoned during his pleasure; and all the books that were written of

her revelations were ordered to be sent in to some of the chief officers of state, under the pains of fine and imprisonment. It had been also found, that the letter which she pretended to have got from Mary Magdalen, was written by one Hankherst of Canterbury; and that the door of the dormitory, which was given out to be made open by miracle, that she might go into the chapel for converse with God, was opened by some of her complices for beastly and carnal ends. But in the conclusion of the act, all others who had been corrupted in their allegiance by these impostures, except the persons before named, were, at the earnest intercession of Queen Anne, pardoned.

The two Houses of parliament (having ended their business) were prorogued, on the 29th of March, to the 3d of November; and, before they broke up, all the members of both Houses, that they might give a good example to the King's other subjects, swore the oath of succession; as appears from the act made about it in the next session of parliament. The execution of these persons was delayed for some time; it is like, till the King had a return from Rome of the messenger he had sent thither with his submission.

Soon after that, on the 20th of April, the Nun, and Bocking, Master, Deering, Risby, and Gold (Rich is not named, being perhaps either dead or pardoned) were brought to Tyburn. The Nun spake these words:—"Hither I am come to die, and I have not been only the cause of mine own death, which most justly I have deserved, but also am the cause of the death of all those persons which at this time here suffer. And yet to say the truth, I am not so much to be blamed, considering that it was well known to these learned men that I was a poor wench without learning, and therefore they might easily have perceived that the things that were done by me could not proceed in no such sort; but their capacities and learning could right well judge, from whence they proceeded, and that they were altogether feigned; but because the thing that I feigned was profitable

The Nun's speech at her death. Hall.

to them, therefore they much praised me, and bore me in hand, that it was the Holy Ghost and not I, that did them; and then I, being puffed up with their praises, fell into a certain pride and foolish phantasy with myself, and thought I might feign what I would, which thing hath brought me to this case: and for the which now, I cry God and the King's Highness most heartily mercy, and desire you, all good people, to pray to God to have mercy on me, and on all them that here suffer with me."

On all this I have dwelt the longer, both because these are all called martyrs by Sanders, and that this did first provoke the King against the regular clergy, and drew after it all the severities that were done in the rest of his reign. The foulness and the wicked designs of this imposture, did much alienate people from the interest of Rome, and made the other acts both pass more easily and be better received by the people. It was also generally believed, that what was now discovered was no new practice, but that many of the visions and miracles, by which religious orders had raised their credit so high, were of the same nature: and it made way for the destroying of all the monasteries in England, though all the severity which at this time followed on it, was that the Ob-
Stow. servant friars of Richmond, Greenwich, Canterbury, Newark, and Newcastle, were removed out of their houses, and put with the other Gray friars, and Augustin friars were put in their houses.

But because of the great name of Fisher, bishop of Rochester, and since this was the first step to his ruin, it is necessary to give a fuller account of his
Fisher gently dealt with. carriage in this matter. When the cheat was first discovered, Cromwell, then secretary of state, sent the Bishop's brother to him, with a sharp reproof for his carriage in that business; but withal advised him to write to the King, and acknowledge his offence, and desire his pardon, which he knew the King,
But is obstinate and intractable. considering his age and sickness, would grant. But he wrote back, excusing himself, that all he did, was only to try, whether her revelations were true? He

confessed, he conceived a great opinion of her holiness, both from common fame and her entering into religion; from the report of her ghostly father, whom he esteemed learned and religious, and of many other learned and virtuous priests; from the good opinion the late Archbishop of Canterbury had of her, and from what is in the prophet Amos, "That God will do nothing without revealing it to his servants." That, upon these grounds, he was induced to have a good opinion of her; and that to try the truth about her, he had sometimes spoken with her, and sent his chaplains to her, but never discovered any falsehood in her. And for his concealing what she told him about the King, which was laid to his charge, he thought it needless for him to speak of it to the King, since she had said to him that she had told it to the King herself; she had named no person who should kill the King, which by being known might have been prevented. And, as in spiritual things every churchman was not bound to denounce judgments against those that could not bear it; so in temporal things the case might be the same; and the King had on other occasions spoken so sharply to him, that he had reason to think, the King would have been offended with him for speaking of it, and would have suspected that he had a hand in it; therefore he desired for the passion of Christ to be no more troubled about that matter, otherwise he would speak his conscience freely. To all which Cromwell wrote a long letter, which the reader will find in the Collection, copied from the rude draught of it written with his own hand: in which he charges the matter upon him heavily, and shews him, that he had not proceeded as a grave prelate ought to have done; for he had taken all that he had heard of her upon trust, and had examined nothing; that if every person that pretends to revelations were believed on their own words, all government would be thereby destroyed. He had no reason to conclude from the prophecy of Amos, that every thing that is to fall out, must be revealed to some prophet, since many notable things had fallen

Collect. Numb 49. Cott Lib. Cleopat. E 4.

out, of which there was no revelation made beforehand. But he told him, the true reason that made him give credit to her was, the matter of her prophecies; to which he was so addicted, as he was to every other thing in which he once entered, that nothing could come amiss that served to that end. And he appealed to his conscience, whether, if she had prophesied for the King he would have given such easy credit to her, and not have examined the matter further. Then he shews how guilty he was in not revealing what concerned the King's life, and how frivolous all his excuses were. And, after all, tells him, that though his excusing the matter had provoked the King, and that if it came to a trial he would certainly be found guilty; yet again he advises him to beg the King's pardon for his negligence and offence in that matter; and undertakes that the King would receive him into his favour, and that all matters of displeasure passed before that time should be forgiven and forgotten. This shews, that though Fisher had, in the progress of the King's cause, given him great offence, yet he was ready to pass it all over, and not to take the advantage which he now had against him. But Fisher was still obstinate and made no submission, and so was included within the act for misprision of treason; and yet I do not find that the King proceeded against him upon this act, till by new provocations he drew a heavier storm of indignation upon himself.

The oath for the succession generally sworn.

When the session of parliament was at an end, commissioners were sent every where to offer the oath of succession to the crown to all, according to the act of parliament; which was universally taken by all sorts of persons. Gardiner wrote from Winchester the 6th of May to Cromwell, that, in the presence of the Lord Chamberlain, the Lord Audley, and many other gentlemen, all abbots, priors, wardens, with the curates of all parishes and chapels within the shire had appeared and taken the oath very obediently; and had given in a list of all the religious persons in their houses of fourteen years of age and above, for taking

Orig Cott. Lib Otho. C 10

whose oaths some commissioners were appointed. The forms in which they took the oath are not known; and it is no wonder, for though they were enrolled, yet in Queen Mary's time there was a commission given to Bonner and others to examine the records, and raze out of them all things that were done either in contempt of the see of Rome or to the defamation of religious houses; pursuant to which, there are many things taken out of the Rolls, which I shall sometimes have occasion afterwards to take notice of, yet some writings have escaped their diligence; so there remains but two of the subscriptions of religious orders, both bearing date the 4th of May, 1534. One is by the Prior and Convent of Langley Regis, that were Dominicans, the Franciscans of Ailesbury, the Dominicans of Dunstable, the Franciscans of Bedford, the Carmelites of Hecking, and the Franciscans de Mare. The other is by the Prioress and Convent of the Dominican nuns at Deptford.

"In these, besides the renewing their allegiance to the King, they swear the lawfulness of his marriage with Queen Anne, and that they shall be true to the issue begotten in it; that they shall always acknowledge the King head of the church of England: and that the Bishop of Rome has no more power than any other bishop has in his own diocese, and that they should submit to all the King's laws, notwithstanding the Pope's censures to the contrary. That in their sermons they should not pervert the Scriptures, but preach Christ and his gospel sincerely, according to the Scriptures, and the tradition of orthodox and catholic doctors; and in their prayers, that they should pray first for the King, as supreme head of the church of England, then for the Queen and her issue, and then for the Archbishop of Canterbury and the other ranks of the clergy." To this these six priors set their hands with the seals of their convents, and in their subscriptions declared, that they did it freely and uncompelled, and in the name of all the brethren in the convent.

Collect. Numb 50. Rot Claus.

Those last clauses are not in the other writing

But Sir Thomas More and the Bishop of Rochester

More and Fisher refuse the oath.

refused to take the oath as it was conceived: whose fall being so remarkable, I shall shew the steps of it. There was a meeting of the privy council at Lambeth, to which many were cited to appear, and take the oath. Sir Thomas More was first called, and the oath was tendered to him under the great seal; then he called for the act of succession, to which it related, which was also shewed him: having considered of them, he said, he would neither blame those that made the act, nor those that swore the oath; but, for his part, though he was willing to swear to the succession, if he might be suffered to draw an oath concerning it, yet for the oath that was offered him, his conscience so moved him, that he could not without hazarding his soul take it. Upon this, the Lord Chancellor told him, that he was the first who had refused to swear it, and the King would be highly offended with him for denying it, and so he was dewithdraw and consider better of it. Several were called upon, and did all take the oath, except the Bishop of Rochester, who answered upon the matter as More had done. When the lords had dispatched all the rest, More was again brought before them; they shewed him how many had taken it, he answered, he judged no man for doing it, only he could not do it himself. Then they asked the reasons why he refused it? He answered, he feared it might provoke the King more against him, if he should offer reasons which would be called a disputing against law: but when he was further pressed to give his reasons, he said, if the King would command him to do it, he would put them in writing.

See his Works, p. 1422.

The Archbishop of Canterbury urged him with this argument, that since he said he blamed no other person for taking it, it seemed he was not persuaded it was a sin, but was doubtful in the matter; but he did certainly know, he ought to obey the King, and the law, so there was a certainty on the one hand, and only a doubt on the other; therefore he was obliged to do that about which he was certain, notwithstanding these his doubtings. This did shake him a little,

S.Piombo pinx. R Graves sculp

CARDINAL POLE.

especially (as himself writes) "coming out of so noble a prelate's mouth;" but he answered, that though he had examined the matter very carefully, yet his conscience leaned positively to the other side; and he offered to purge himself by his oath, that it was purely out of a principle of conscience, and out of no light phantasy or obstinacy that he thus refused it. The Abbot of Westminster pressed him, that however the matter appeared to him, he might see his conscience was erroneous, since the great council of the realm was of another mind, and therefore he ought to change his conscience. (A reasoning very fit for so rich an abbot, which discovers of what temper his conscience was.) But to this More answered, that if he were alone against the whole parliament, he had reason to suspect his own understanding; but he thought he had the whole council of Christendom on his side, as well as the great council of England was against him. Secretary Cromwell, who (as More writes) "tenderly favoured him," seeing his ruin was now inevitable, was much affected at it; and protested with an oath, he had rather his own only son had lost his head, than that he should have refused the oath. Thus both he and the Bishop of Rochester refused it, but offered to swear another oath for the succession of the crown to the issue of the King's present marriage, because that was in the power of the parliament to determine it. Cranmer, who was a moderate and wise man, and foresaw well the ill effects that would follow on contending so much with persons so highly esteemed over the world, and of such a temper, that severity would bend them to nothing, did by an earnest letter to Cromwell, dated the 27th of April, move, that what they offered might be accepted; for if they once swore to the succession, it would quiet the kingdom; for they acknowledging it, all other persons would acquiesce and submit to their judgments. But this sage advice was not accepted. Weaver's Monument, p. 504 and 506.

The King was much irritated against them, and resolved to proceed with them according to law, and therefore they were both indicted upon the statute, And are

and committed prisoners to the Tower. And it being apprehended, that if they had books and papers given them, they would write against the King's marriage or his supremacy; these were denied them. The old Bishop was hardly used, his bishoprick was seized on, and all his goods taken from him, only some old rags were left to cover him; and he was neither supplied well in diet, nor other necessaries, of which he made sad complaints to Cromwell. But the remainder of this tragical business, which left one of the greatest blots on this King's proceedings, falling within the limits of the next Book, I haste on to the conclusion of this.

Another session of parliament

The separation from Rome was made in the former session of parliament, but the King's supremacy was not yet fully settled. This was reserved for the next session that sat in November, from the 3d of that month, to the 18th of December, about which we can have no light from the Journals, they being lost. The first act confirmed what had been already acknowledged by the clergy, "that the King was the supreme head in earth, of the church of England, which was to be annexed to his other titles; it was also enacted, that the King and his heirs and successors, should have power to visit and reform all heresies, errors, and other abuses, which in the spiritual jurisdiction ought to be reformed."

The King's supremacy declared.

The oath about the succession confirmed.

By the second act they confirmed the oath about the succession, concerning which some doubts had been made, because there was no oath specified in the former act, though both Houses had taken it. it was now enacted, that all the subjects were obliged to take it when offered to them, under the pains contained in the act, passed in the former session. By the third act, the first fruits and tenths of all ecclesiastical benefices were given to the King as the supreme head of the church. The clergy were easily prevailed on to consent to the putting down of the *annates*, paid to the court of Rome; for all men readily concur to take off any imposition: but at that time it had perhaps abated much of their heartiness, if they had imagined

The first fruits of benefices given to the King.

that these duties should have been still paid; therefore that was kept up till they had done all that was to be done against Rome. And now, as the Commons and the secular lords would no doubt easily agree to lay a tax on the clergy, so the others, having no foreign support, were not in a condition to wrestle against it.

In the thirteenth act, among other things that were made treason, one was, the denying the King the dignity, title, or name, of his estate royal; or the calling the King heretic, schismatic, tyrant, infidel, or usurper of the crown. This was done to restrain the insolence of some friars, and all such offenders were to be denied the privileges of sanctuaries. By the fourteenth act, provision was made for suffragan bishops, which, as is said, "had been accustomed to be had within this realm, for the more speedy administration of the sacraments, and other good wholesome and devout things, and laudable ceremonies, to the increase of God's honour, and for the commodity of good and devout people:" therefore they appointed for suffragans' sees, the towns of Thetford, Ipswich, Colchester, Dover, Gilford, Southampton, Taunton, Shaftsbury, Molton, Marlborough, Bedford, Leicester, Gloucester, Shrewsbury, Bristol, Penreth, Bridgwater, Nottingham, Grantham, Hull, Huntington, Cambridge, and the towns of Pereth and Berwick, St. Germans in Cornwall, and the Isle of Wight. For these sees, the bishop of the diocese was to present two to the King, who might choose either of them, and present the person so named to the archbishop of the province, to be consecrated; after which they might exercise such jurisdiction as the bishop of the diocese should give to them, or as suffragans had been formerly used to do; but their authority was to last no longer than the bishop continued his commission to them. But that the reader may more clearly see how this act was executed, he shall find in the Collection, a writ for making a suffragan bishop. These were believed to be the same with the Chorepiscopi in the primitive church, which as

Sundry things are declared treason.

An act for suffragan bishops.

Collect. Numb. 51.

they were begun before the first council of Nice, so they continued in the western church till the ninth century, and then a decretal of Damascus being forged, that condemned them, they were put down every where by degrees, and now revived in England.*

Act 26. Rot Parl A subsidy granted.

Then followed the grant of a subsidy to the King; it was now twelve years since there was any subsidy granted. A fifteenth and a tenth were given to be paid in three years, the final payment being to be at Allhallontide, in the year 1537. The bill began with a most glorious preamble "of the King's high wisdom and policy in the government of the kingdom these twenty-four years, in great wealth and quietness, and the great charges he had been at in the last war with Scotland, in fortifying Calais, and in the war of Ireland, and that he intended to bring the wilful, wild, and unreasonable, and savage people of Ireland, to order and obedience, and intended to build forts on the marches of Scotland for the security of the nation, to amend the haven of Calais, and make a new one at Dover. By all which they did perceive the entire love and zeal which the King bore to his people, and that he sought not their wealth and quietness only for his own time, being a mortal man, but did provide for it in all time coming, therefore they thought that of very equity, reason, and good conscience, they were bound to shew like correspondence of zeal, gratitude, and kindness." Upon this the King sent a general pardon with some exceptions, ordinary in such cases. But Fisher and More, were not only excluded from this pardon by general clauses, but by two particular acts they were attainted of misprision of treason. By the third act, according to the record, John bishop of Rochester, Christopher Plummer, Nicholas Wilson, Edward

More and Fisher attainted Act 3 and 4 Rot. Parl.

* The bishops suffragans were before common in England, some abbots or rich clergymen, procuring under foreign, or perhaps feigned titles, that dignity, and so performing some parts of the episcopal function in large or neglected dioceses; so the Abbot of Prior of Tame was one. Such was Robert King, abbot of Oseney, afterwards bishop of Oxford; and Thomas Cornish, a residentiary of Wells, who by the name of Thomas Episcopus Tinensis, did confer orders, and perform other episcopal functions for Fox, while he was bishop of Exeter, from 1487 to 1492, and afterwards, when he was bishop of Wells, as appears by those registers. He died in 1513.

Powel, Richard Fetherstone and Miles Wyllir, clerks, were attainted for refusing the oath of succession, and the bishopric of Rochester, with the benefices of the other clerks, were declared void from the 2d of January next; yet it seems few were fond of succeeding him in that see; for John Hilsey, the next bishop of Rochester, was not consecrated before the year 1537. By the fourth act, Sir Thomas More is by an invidious preamble charged with ingratitude, for the great favours he had received from the King, and for studying to sow and make sedition among the King's subjects, and refusing to take the oath of succession; therefore they declared the King's grants to him to be void, and attaint him of misprision of treason.

The proceedings against them variously censured.

This severity, though it was blamed by many, yet others thought it was necessary in so great a change; since the authority of these two men was such, that if some signal notice had not been taken of them, many might, by their endeavours, especially encouraged by that impunity, have been corrupted in their affections to the King. Others thought the prosecuting them in such a manner, did rather raise their reputation higher, and give them more credit with the people, who are naturally inclined to pity those that suffer, and to think well of those opinions, for which they see men resolved to endure all extremities. But others observed the justice of God, in retaliating thus upon them their own severities to others; for as Fisher did grievously prosecute the preachers of Luther's doctrine, so More's hand had been very heavy on them as long as he had power, and he had shewed them no mercy, but the extremity of the law, which himself now felt to be very heavy. Thus ended this session of parliament, with which this Book is also to conclude; for now I come to a third period of the King's reign, in which he did govern his subjects without any competitor; but I am to stop a little, and give an account of the progress of the Reformation in these years that I have passed through.

The Cardinal was no great persecutor of heretics,

The progress of the Reformation.

which was generally thought to flow from his hatred of the clergy, and that he was not ill-pleased to have them depressed. During the agitation of the King's process, there was no prosecution of the preachers of Luther's doctrine. Whether this flowed from any intimation of the King's pleasure to the bishops or not, I cannot tell, but it is very probable it must have been so, for these opinions were received by many, and the popish clergy were so inclined to severity, that as they wanted not occasions, so they had a good mind to use those preachers cruelly; so that it is likely the King restrained them, and that was always mixed with the other threatenings to work upon the Pope, that heresy would prevail in England, if the King got not justice done him; so that, till the Cardinal fell, they were put to no further trouble.

But as soon as More came into favour, he pressed the King much to put the laws against heretics in execution, and suggested, that the court of Rome would be more wrought upon, by the King's supporting the church, and defending the faith vigorously, than by threatenings: and therefore a long proclamation was issued out against the heretics, many of their books were prohibited, and all the laws against them were appointed to be put in execution, and great care was taken to seize them as they came into England; but many escaped their diligence.

Fox.

Tindal and others at Antwerp.

There were some at Antwerp, Tindal, Joye, Constantine, with a few more, that were every year writing and printing new books chiefly against the corruptions of the clergy, the superstition of pilgrimages, of worshipping images, saints, and relics, and against relying on these things, which were then called, in the common style, good works, in opposition to which they wrote much about faith in Christ with a true evangelical obedience, as the only mean by which men could be saved. The book that had the greatest authority and influence, was Tindal's

tion of the New Testament, of which the

bishops made great complaints, and said, it was full of errors. But Tonstal, then bishop of London, being a man of invincible moderation, would do nobody hurt, yet endeavoured as he could to get their books into his hands: so being at Antwerp in the year 1529, as he returned from his embassy at the treaty of Cambray, he sent for one Packington, an English merchant there, and desired him to see how many New Testaments of Tindal's translation he might have for money. Packington, who was a secret favourer of Tindal, told him what the Bishop proposed. Tindal was very glad of it; for, being convinced of some faults in his work, he was designing a new and more correct edition; but he was poor, and the former impression not being sold off, he could not go about it; so he gave Packington all the copies that lay in his hands, for which the Bishop paid the price, and brought them over, and burnt them publicly in Cheapside. This had such an hateful appearance in it, being generally called a burning of the word of God, that people from thence concluded there must be a visible contrariety, between that book and the doctrines of those who so handled it; by which both their prejudice against the clergy, and their desire of reading the New Testament was increased. So that next year, when the second edition was finished, many more were brought over, and Constantine being taken in England, the Lord Chancellor, in a private examination, promised him that no hurt should be done him if he would reveal who encouraged and supported them at Antwerp; which he accepted of, and told, that the greatest encouragement they had, was from the Bishop of London, who had bought up half the impression. This made all that heard of it laugh heartily, though more judicious persons discerned the great temper of that learned Bishop in it. When the clergy condemned Tindal's translation of the New Testament, they declared they intended to set out a true translation of it; which many thought was never truly designed by them, but only pretended, that they might restrain the curiosity of see-

Hall.

The New Testament burnt.

ing Tindal's work, with the hopes of one that should be authorized: and as they made no progress in it, so at length, on the 24th of May, anno 1530, there was a paper drawn and agreed to by Archbishop Warham, Chancellor More, Bishop Tonstal, and many canonists and divines, which every incumbent was commanded to read to his parish, as a warning to prevent the contagion of heresy. The contents of which were, "that the King having called together many of the prelates, with other learned men out of both Universities, to examine some books lately set out in the English tongue, they had agreed to condemn them, as containing several points of heresy in them; and it being proposed to them, whether it was necessary to set forth the Scriptures in the vulgar tongue, they were of opinion, that though it had been sometimes done, yet it was not necessary, and that the King did well, not to set it out at that time in the English tongue." So by this all the hopes of a translation of the Scriptures vanished.

The last paper in Sir Henry Spelman's 2d vol.

There came out another book which took mightily, it was entitled, The Supplication of the Beggars, written by one Simon Fish, of Gray's-inn. In it the beggars complained to the King, that they were reduced to great misery, the alms of the people being intercepted by companies of strong and idle friars; for supposing that each of the five mendicant orders had but a penny a quarter from every household, it did rise to a vast sum, of which the indigent and truly necessitous beggars were defrauded. Their being unprofitable to the commonwealth, with several other things, were also complained of. He also taxed the Pope for cruelty and covetousness, that did not deliver all persons out of purgatory, and that none but the rich, who paid well for it, could be discharged out of that prison. This was written in a witty and taking style, and the King had it put in his hands by Anne Boleyn, and liked it well, and would not suffer any thing to be done to the author.

Supplication of the beggars.

Chancellor More was the most zealous champion the clergy had; for I do not find that any of them

More an-

wrote much, only the Bishop of Rochester wrote for purgatory; but the rest left it wholly to him, either because few of them could write well, or that he being much esteemed, and a disinterested person, things would be better received from him, than from them who were looked on as parties. So he answered this supplication by another, in the name of the souls that were in purgatory; representing the miseries they were in, and the great relief they found by the masses the friars said for them, and brought in every man's ancestors calling earnestly upon him to befriend those poor friars now, when they had so many enemies. He confidently asserted, it had been the doctrine of the church for many ages, and brought many places out of the Scriptures to prove it, besides several reasons that seemed to confirm it. This, being writ of a subject that would allow of a great deal of popular and moving eloquence, in which he was very eminent, took with many.

Frith replies.

But it discovered to others what was the foundation of those religious orders, and that if the belief of purgatory were once rooted out, all that was built on that foundation must needs fall with it. So John Frith wrote an answer to More's supplication, to shew, that there was no ground for purgatory in Scripture; and that it was not believed in the primitive church. He also answered the Bishop of Rochester's book, and some dialogues that were written on the same subject, by Rastal, a printer, and kinsman of More's: he discovered the fallacy of their reasonings, which were built on the weakness or defects of our repentance in this life; and that therefore there must be another state in which we must be further purified. To this he answered, "That our sins were not pardoned for our repentance, or the perfection of it, but only for the merits and sufferings of Christ; and that, if our repentance is sincere, God accepts of it; and sin, being once pardoned, it could not be further punished. He shewed the difference between the punishments we may suffer in this life, and those in purgatory; the one are either medicinal corrections for reforming us

more and more, or for giving warning to others: the other are terrible punishments, without any of these ends in them: therefore the one might well consist with the free pardon of sin, the other could not. So he argued from all these places of Scripture, in which we are said to be freely pardoned our sins by the blood of Christ, that no punishment in another state could consist with it: he also argued from all those places in which it is said, that we shall at the day of judgment receive according to what we have done in the body, that there was no state of purgatory beyond this life. For the places brought out of the Old Testament, he shewed they could not be meant of purgatory, since according to the doctrine of the schoolmen there was no going to purgatory before Christ. For the places in the New Testament he appealed to More's great friend, Erasmus, whose exposition of these places differed much from his glosses. That place in the Epistle to the Corinthians about the fire, that was to try every man's work, he said, was plainly allegorical: and since the foundation, the building of gold, silver, and precious stones; of wood, hay, and stubble, were figuratively taken, there was no reason to take the fire in a literal sense: therefore by fire was to be understood the persecution then near at hand; called in other places, the fiery trial.

For the ancient doctors, he shewed, that in the fourth century, St. Ambrose, Jerome, and St. Austin, the three great doctors of that age, did not believe it, and cited several passages out of their writings. It is true, St. Austin went further than the rest; for though in some passages he delivered his opinion against it, yet in other places he spake of it more doubtfully, as a thing that might be inquired into, but that it could not be certainly known; and indeed before Gregory the Great's time, it was not received in the church, and then the Benedictine monks were beginning to spread and grow numerous, and they, to draw advantages from it, told many stories of visions and dreams, to possess the world with the belief of it; then the trade grew so profitable, that ever since it was kept

up, and improved: and what succeeded so well with one society and order, to enrich themselves much by it, was an encouragement to others to follow their track in the same way of traffic. This book was generally well received, and the clergy were so offended at the author, that they resolved to make him feel a real fire whenever he was catched, for endeavouring to put out their imaginary one.

That from which More and others took greatest advantage, was, that the new preachers prevailed only on simple tradesmen, and women, and other illiterate persons: but to this the others answered, that the Pharisees made the same objection to the followers of Christ, who were fishermen, women, and rude mechanics; but Christ told them, that to the poor the gospel was preached; and when the philosophers and Jews objected that to the apostles, they said, God's glory did the more appear, since not many rich, wise, or noble, were called, but the poor and despised were chosen: that men who had much to lose, had not that simplicity of mind, nor that disengagement from worldly things that was a necessary disposition to fit them for a doctrine, which was like to bring much trouble and persecution on them.

The cruel proceedings against the reformers.

Thus I have opened some of these things, which were at that time disputed by the pen, in which opposition new things were still started and examined. But this was too feeble a weapon for the defence of the clergy, therefore they sought out sharper tools. So there were many brought into the bishops' courts, some for teaching their children the Lord's Prayer, in English, some for reading the forbidden books, some for harbouring the preachers, some for speaking against pilgrimages, or the worshipping and adorning of images, some for not observing the church fasts, some for not coming to confession and the sacrament, and some for speaking against the vices of the clergy. Most of these were simple and illiterate men, and the terror of the bishops' courts, and prisons, and of a faggot in the end, wrought so much on their fears and weakness, that they generally abjured, and were dis-

More. missed. But in the end of the year 1530, one Thomas Hitton, who had been curate of Maidstone, and had left that place, going oft to Antwerp; he bringing over some of the books that were printed there, was taken at Gravesend, and brought before Warham and Fisher, who, after he had suffered much by a long and cruel imprisonment, condemned him to be burnt.

Bilney's trial The most eminent person that suffered about this time was Thomas Bilney, of whose abjuration an account was given in the first Book: he after that went to Cambridge, and was much troubled in his conscience for what he had done; so that the rest of that Latimer's sermons. society at Cambridge were in great apprehensions of some violent effect which that desperation might produce, and sometimes watched him whole nights. This continued about a year, but at length his mind was more quieted, and he resolved to expiate his abjuration by as public and solemn a confession of the truth: and to prepare himself the better both to defend and suffer for the doctrines which he had formerly through fear denied, he followed his studies for two years. And when he found himself well fortified in this resolution, he took leave of his friends at Cambridge and went to his own country of Norfolk, to whom he thought he owed his first endeavours.

The things objected to him He preached up and down the country, confessing his former sin of denying the faith, and taught the people to beware of idolatry, or trusting to pilgrimages, to the cowl of St. Francis, to the prayers of saints, or to images; but exhorted them to stay at home, to give much alms, to believe in Jesus Christ, and to Fox. offer up their hearts, wills, and minds to him in the sacrament. This being noised about, he was seized on by the Bishop's officers, and put in prison at Norwich; and the writ was sent for to burn him as a relapse, he being first condemned and degraded from his priesthood: while he was in prison, the friars came oft about him to persuade him to recant again, and it was given out that he did read a bill of abjuration.

More, not being satisfied to have sent the writ for

his burning, studied also to defame him, publishing this to the world; yet in that he was certainly abused, for if he had signed any such paper, it had been put in the Bishop's register, as all things of that nature were; but no such writing was ever shewn, only some said they heard him read it; and others, who denied there was any such thing, being questioned for it, submitted and confessed their fault. But, at such a time it was no strange thing if a lie of that nature was vented with so much authority, that men were afraid to contradict it; and when a man is a close prisoner, those who only have access to him may spread what report of him they please; and when once such a thing is said, they never want officious vouchers to lie and swear for it. But since nothing was ever shewed under his hand, it was clear there was no truth in these reports, which were spread about to take away the honour of martyrdom from the new doctrines. It is true, he had never inquired into all the other tenets of the church of Rome, and so did not differ from them about the presence of Christ in the sacrament and some other things. But when men durst speak freely, there were several persons that witnessed the constancy and sincerity of Bilney in these his last conflicts; and, among the rest, Matthew Parker, afterwards archbishop of Canterbury, was an eye-witness of his sufferings, which from his relation were published afterwards: he took his death patiently and constantly, and in the little time that was allowed him to live after his sentence, he was observed to be cheerful; and the poor victuals that were brought him, bread and ale, he eat up heartily; of which when one took notice, he said, he must keep up that ruinous cottage till it fell; and often repeated that passage in Isaiah, "When thou walkest through the fire thou shalt not be burnt;" and, putting his finger in the flame of the candle, he told those about him, that he well knew what a pain burning was, but that it should only consume the stubble of his body, and that his soul should be purged by it.

It is given out that he abjured.

The falsehood of which afterwards appeared. Fox.

When the day of execution came, being the 10th

The manner of his suffering.

of November, as he was led out, he said to one that exhorted him to be patient and constant, that as the mariners endured the tossing of the waves, hoping to arrive at their desired port; so, though he was now entering into a storm, yet he hoped he should soon arrive at the haven; and desired their prayers. When he came to the stake, he repeated the creed, to shew the people that he died in the faith of the apostles; then he put up his prayers to God with great shows of inward devotion; which ended, he repeated the 143d Psalm, and paused on these words of it, "Enter not into judgment with thy servant, for in thy sight shall no man living be justified," with deep recollection: and when Dr. Warner, that accompanied him to the stake, took leave of him with many tears, Bilney, with a cheerful countenance, exhorted him to feed his flock, that at his Lord's coming he might find him so doing. Many of the begging friars desired him to declare to the people, that they had not procured his death; for that was got among them, and they feared the people would give them no more alms: so he desired the spectators not to be the worse to these men for his sake, for they had not procured his death. Then the fire was set to, and his body consumed to ashes.

Thus it appears, both what opinion the people had of him, and in what charity he died even towards his enemies, doing them good for evil; but this, though it perhaps struck terror in weaker minds, yet it no less encouraged others to endure patiently all the severities that were used to draw them from this doctrine. Soon after one Richard Byfield suffered: he was a monk of St. Edmundsbury, and had been instructed by Dr. Barnes, who gave him some books; which being discovered, he was put in prison, but through fear abjured; yet afterward he left the monastery and came to London: he went oft over to Antwerp and brought in forbidden books, which being smelled out, he was seized on and examined about these books; he justified them, and said, he thought they were good and profitable, and did openly ex-

Byfield's sufferings.

claim against the dissolute lives of the clergy: so being judged heretic, he was burnt in Smithfield the 11th of November.

In December, one John Tewksbury, a shopkeeper in London, who had formerly abjured, was also taken and tried in Sir Thomas More's house at Chelsea, where sentence was given against him by Stokesley, bishop of London (for Tonstal was translated the former year to Duresme), and was burnt in Smithfield. There were also three burnt at York this year, two men and one woman. And Tewksbury's.

These proceedings were complained of in the following session of parliament, as was formerly told, and the ecclesiastical courts being found both arbitrary and cruel, the House of Commons desired a redress of that from the King; but nothing was done about it till three years after that the new act against heretics was made, as was already told. The clergy were not much moved at the address which the House of Commons made, and therefore went on in their extreme courses; and to strike a terror in the gentry, they resolved to make an example of one James Bainham, a gentleman of the Temple: he was carried to the Lord Chancellor's house, where much pains was taken to persuade him to discover such as he knew in the Temple who favoured the new opinions; but fair means not prevailing, More made him be whipped in his own presence, and after that sent him to the Tower, where he looked on and saw him put to the rack. Yet it seems nothing could be drawn from him that might be made use of to any other person's hurt; yet he himself afterwards, overcome with fear, abjured and did penance; but had no quiet in his conscience, till he went publicly to church, with a New Testament in his hand, and confessed with many tears that he had denied God; and prayed the people not to do as he had done, and said that he felt a hell in his own conscience for what he had done. So he was soon after carried to the Tower (for now the bishops, to avoid the imputation of using men cruelly in their prisons, did put heretics in the Bainham's sufferings. Fox

prisons): he was charged for having said—"That Thomas-a-Becket was a murderer, and damned in hell if he did not repent; and for speaking contemptuously of praying to saints, and saying that the sacrament of the altar, was only Christ's mystical body, and that his body was not chewed with the teeth, but received by faith. So he was judged an obstinate and relapsed heretic, and was burnt in Smithfield about the end of April, 1532." There were also some others burnt a little before his time, of whom a particular account could not be recovered by Fox with all his industry. But with Bainham More's persecution ended; for soon after he laid down the great seal, which set the poor preachers at ease.

Regist. Tonst.

Crome and Latimer were brought before the Convocation, and accused of heresy. They both subscribed the articles offered to them:—"That there was a purgatory: that the souls in it were profited by masses said for them: that the saints are now in heaven, and as mediators pray for us: that men ought to pray to them and honour them: that pilgrimages were pious and meritorious: that men who vowed chastity might not marry without the Pope's dispensation: that the keys of binding and loosing were given to St. Peter, and to his successors, though their lives were bad, and not at all to the laity: that men merited by prayers, fasting, and other good works: that priests prohibited by the bishop should not preach till they were purged and restored: that the seven sacraments conferred grace: that consecrations and benedictions used by the church were good: that it was good and profitable to set up the images of Christ and the saints in the churches, and to adorn them and burn candles before them; and that kings were not obliged to give their people the Scriptures in a vulgar tongue." By these articles it may be easily collected what were the doctrines then preached by the reformers. There was yet no dispute about the presence of Christ in the sacrament, which was first called in question by Frith; for the books of Zuinglius and Œcolampadius came later into England;

Articles which some abjured

and hitherto they had only seen Luther's works, with those written by his followers.

But in the year 1532, there was another memorable instance of the clergy's cruelty against the dead bodies of those whom they suspected of heresy. The common style of all wills and testaments at that time was, "First, I bequeath my soul to Almighty God, and to our Lady Saint Mary, and to all the saints in heaven: but one William Tracy of Worcestershire dying, left a will of a far different strain; for he bequeathed his soul only to God through Jesus Christ, to whose intercession alone he trusted, without the help of any other saint; therefore he left no part of his goods to have any pray for his soul." This being brought into the Convocation by the Prolocutor, he was condemned as an heretic, and an order was sent to Parker, chancellor of Winchester, to raise his body. The officious Chancellor went beyond his order, and burnt the body; but the record bears, that though he might, by the warrant he had, raise the body, according to the law of the church, yet he had no authority to burn it. So two years after Tracy's heirs sued him for it, and he was turned out of his office of chancellor, and fined in 400*l.*

Tracy's Testament

Regist. Fitz-James.

Regist Stokes. Fol 72.

There is another instance of the cruelty of the clergy this year. One Thomas Harding of Buckinghamshire, an ancient man, who had abjured in the year 1506, was now observed to go often into woods, and was seen sometimes reading. Upon which his house was searched, and some parcels of the New Testament in English were found in it. So he was carried before Longland, bishop of Lincoln, who, as he was a cruel persecutor, so being the King's confessor, acted with the more authority. This aged man was judged a relapse, and sent to Chesham, were he lived to be burnt, which was executed on Corpus Christi eve. At this time there was an indulgence of forty days' pardon proclaimed to all that carried a faggot to the burning of an heretic: so dexterously did the clergy endeavour to infect the laity with their own cruel spirit; and that wrought upon

Harding's sufferings.

this occasion a signal effect—for as the fire was kin-
Fox dled, one flung a faggot at the old man's head, which dashed out his brains.

1533. In the year 1533 it was thought fit by some signal evidence to convince the world, that the King did not design to change the established religion, though he had then proceeded far in his breach with Rome; and the crafty Bishop of Winchester, Gardiner, as he complied with the King in his second marriage and separation from Rome, so, being an inveterate enemy to the Reformation, and in his heart addicted to the court of Rome, did by this argument often prevail with the King, to punish the heretics; that it would most effectually justify his other proceedings, and convince the world that he was still a good catholic King; which at several times drew the King to what he desired. And at this time, the steps the King had made in his separation from the Pope had given such heart to the new preachers, that they grew bolder and more public in their assemblies.

Frith's sufferings. John Frith, as he was an excellent scholar, which was so taken notice of some years before, that he was put in the list of those whom the Cardinal intended to bring from Cambridge and put in his college at Oxford; so he had offended them by several writings, and by a discourse which he wrote against the corporal presence of Christ, in the sacrament, had provoked the King, who continued to his death to believe that firmly: "The substance of his argument

His arguments against the corporal presence. was, that Christ in the sacrament gave eternal life, but the receiving the bare sacrament did not give eternal life, since many took it to their damnation; therefore Christ's presence there, was only felt by faith. This he further proved by the fathers before Christ, who did eat the same spiritual food, and drink of the rock, which was Christ, according to St. Paul: since then, they and we communicate in the same thing, and it was certain that they did not eat Christ's flesh corporally, but fed by faith on a Messias to come, as Christians do on a Messias already come: therefore we now do only communicate by faith. He

also insisted much on the signification of the word sacrament, from whence he concluded, that the elements must be the mystical signs of Christ's body and blood; for if they were truly the flesh and blood of Christ, they should not be sacraments: he concluded, that the ends of the sacrament were these three, by a visible action to knit the society of Christians together in one body, to be a means of conveying grace upon our due participating of them, and to be remembrances to stir up men to bless God for that unspeakable love, which in the death of Christ appeared to mankind. To all these ends the corporal presence of Christ availed nothing, they being sufficiently answered by a mystical presence: yet he drew no other conclusion, from these premises, but that the belief of the corporal presence in the sacrament, was no necessary article of our faith. This either flowed from his not having yet arrived at a sure persuasion in the matter, or that he chose in that modest style, to encounter an opinion, of which the world was so fond, that to have opposed it in downright words, would have given prejudices against all that he could say.

Frith, upon a long conversation with one upon this subject, was desired to set down the heads of it in writing, which he did. The paper went about, and was by a false brother conveyed to Sir Thomas More's hands, who set himself to answer it in his ordinary style, treating Frith with great contempt, calling him always the young man. Frith was in prison before he saw More's book, yet he wrote a reply to it, which I do not find was then published; but a copy of it was brought afterwards to Cranmer, who acknowledged when he wrote his Apology against Gardiner, that he had received great light in that matter from Frith's book, and drew most of his arguments out of it. It was afterwards printed with his works, anno 1573; and by it may appear, how much truth is stronger than error. For though More wrote with as much wit and eloquence as any man in that age did, and Frith wrote plainly without any

art; yet there is so great a difference between their books, that whoever compares them, will clearly perceive the one to be the ingenious defender of an ill cause, and the other a simple asserter of truth. Frith wrote with all the disadvantage that was possible, being then in the jail, where he could have no books, but some notes he might have collected formerly: he was also so loaded with irons, that he could scarce sit with any ease. He began with confirming what he had delivered about the fathers before Christ, their feeding on his body in the same manner that Christians do since his death; this he proved from Scripture, and several places of St. Austin's works: he proved also from Scripture, that after the consecration the elements were still bread and wine, and were so called both by our Saviour and his apostles; that our senses shew they are not changed in their natures, and that they are still subject to corruption, which can in no way be said of the body of Christ. He proved that the eating of Christ's flesh in the 6th of St. John, cannot be applied to the sacrament; since the wicked receive it, who yet do not eat the flesh of Christ, otherwise they should have eternal life. He shewed also, that the sacrament coming in the room of the Jewish paschal lamb, we must understand Christ's words, "This is my body," in the same sense in which it was said, that the lamb was the Lord's passover. He confirmed this by many passages, cited out of Tertullian, Athanasius, Chrysostome, Ambrose, Jerome, Austin, Fulgentius, Eusebius, and some later writers, as Beda, Bertram, and Druthmar, who did all assert that the elements retained their former natures, and were only the mysteries, signs, and figures of the body and blood of Christ. But Gelasius's words seemed so remarkable, that they could not but determine the controversy, especially considering he was bishop of Rome: he, therefore, writing against the Eutychians, who thought the human nature of Christ was changed into the Divine, says, "That as the elements of bread and wine being consecrated to be the sacraments of

the body and blood of Christ, did not cease to be bread and wine in substance, but continued in their own proper natures;" so the human nature of Christ continued still, though it was united to the Divine nature: this was a manifest indication of the belief of the church in that age, and ought to weigh more than a hundred high rhetorical expressions. He brought likewise several testimonies out of the fathers, to shew that they knew nothing of the consequences that follow transubstantiation; of a body being in more places at once, or being in a place after the manner of a spirit, or of the worship to be given to the sacrament. Upon this he digresses, and says, that the German divines believed a corporal presence; yet since that was only an opinion that rested in their minds, and did not carry along with it any corruption of the worship, or idolatrous practice, it was to be borne with, and the peace of the church was not to be broken for it: but the case of the church of Rome was very different, which had set up gross idolatry, building it upon this doctrine.

Thus I have given a short abstract of Frith's book, which I thought fit the rather to do, because it was the first book that was written on this subject in England by any of the reformers. And from hence it may appear, upon what solid and weighty reasons they then began to shake the received opinion of transubstantiation: and with how much learning this controversy was managed by him, who first undertook it.

One thing was singular in Frith's opinion, that he thought there should be no contest made about the manner of Christ's presence in the sacrament; for whatever opinion men held in speculation, if it went not to a practical error (which was the adoration of it, for that was idolatry in his opinion) there were no disputes to be made about it, therefore he was much against all heats between the Lutherans and Zuinglians; for he thought in such a matter, that was wholly speculative, every man might hold his own opinion without making a breach of the unity of the church about it.

Regist Stoke's. Fol 71 and a letter of his in Fox.

He was apprehended in May, 1533, and kept in prison till the 20th of June, and then he was brought before the bishop of London, Gardiner and Longland sitting with him. They objected to him his opinions about the sacrament and purgatory; he answered, that for the first he did not find transubstantiation in the Scriptures, nor in any approved authors; and therefore he would not admit any thing as an article of faith, without clear and certain grounds: for he did not think the authority of the church reached so far. They argued with him upon some passages out of St. Austin and St. Chrysostome, to which he answered, by opposing other places of the same fathers, and shewed how they were to be reconciled to themselves: when it came to a conclusion, these words are set down in the register as his confession.

His opinion of the sacrament.

"Frith thinketh and judgeth that the natural body of Christ is not in the sacrament of the altar, but in one place only at once. Item, he saith, that neither part is a necessary article of our faith, whether the natural body be there in the sacrament or not."

As for purgatory, he said a man consisted of two parts, his body and soul; his body was purged by sickness and other pains, and at last by death, and was not by their own doctrine sent to purgatory. And for the soul, it was purged through the word of God received by faith. So his confession was written down in these words. Item, "Frith thinketh and judgeth that there is no purgatory for the soul after that it is departed from the body, and as he thinketh herein, so hath he said, written, and defended; howbeit he thinketh neither part to be an article of faith, necessarily to be believed under pain of damnation."

And of purgatory.

The bishops, with the doctors that stood about them, took much pains to make him change; but he told them, that he could not be induced to believe, that these were articles of faith. And when they threatened to proceed to a final sentence, he seemed not moved with it, but said, "Let judgment be done

in righteousness." The bishops, though none of them were guilty of great tenderness, yet seemed to pity him much; and the Bishop of London professed, he gave sentence with great grief of heart. In the end he was judged an obstinate heretic, and was delivered to the secular power: there is one clause in this sentence, which is not in many others, therefore I shall set it down.

He is condemned.

"Most earnestly requiring, in the bowels of our Lord Jesus Christ, that this execution and punishment, worthily to be done upon thee, may be so moderate, that the rigour thereof be not too extreme, nor yet the gentleness too much mitigated, but that it may be to the salvation of thy soul, to the extirpation, terror, and conversion of heretics, and to the unity of the catholic faith." This was thought a scorning of God and men, when those, who knew that he was to be burnt, and intended it should be so, yet used such an obtestation by the bowels of Jesus Christ, that the rigour might not be extreme. This being certified, the writ was issued out, and as the register bears, he was burnt in Smithfield the 4th of July, and one Andrew Hewet with him, who also denied the presence of Christ in the sacrament of the altar. This Hewet was an apprentice, and went to the meetings of these preachers, and was twice betrayed by some spies whom the bishops' officers had among them, who discovered many. When he was examined, he would not acknowledge the corporal presence, but was illiterate, and resolved to do as Frith did; so he was also condemned and burnt with him.

His constancy in his sufferings.

When they were brought to the stake, Frith expressed great joy, at his approaching martyrdom, and in a transport of it, hugged the faggots in his arms, as the instruments that were to send him to his eternal rest. One Dr. Cook, a parson of London, called to the people, that they should not pray for them any more than they would do for a dog. At which Frith smiled, and prayed God to forgive him; so the fire was set to, and they were consumed to ashes.

This was the last act of the clergy's cruelty against

men's lives, and was much condemned: it was thought an unheard-of barbarity, thus to burn a moderate and learned young man, only because he would not acknowledge some of their doctrines to be articles of faith; and though his private judgment was against their tenet, yet he was not positive in it, any further, than that he could not believe the contrary to be necessary to salvation. But the clergy were now so bathed in blood, that they seemed to have stripped themselves of those impressions of pity and compassion, which are natural to mankind; they therefore held on in their severe courses, till the act of parliament did effectually restrain them.

Philips's sufferings.

In the account that was given of that act, mention was made of one Thomas Philips, who put in his complaint to the House of Commons against the Bishop of London. The proceedings against him, had been both extreme and illegal: he was at first apprehended, and put in the Tower upon suspicion of heresy, and when they searched him, a copy of Tracy's Testament was found about him, and butter and cheese were found in his chamber, it being in the time of Lent. There was also another letter found about him, exhorting him to be ready to suffer constantly for the truth. Upon these presumptions the Bishop of London proceeded against him, and required him to abjure. But he said, he would willingly swear to be obedient as a Christian man ought, and that he would never hold any heresy during his life, nor favour heretics; but the Bishop would not accept of that, since there might be ambiguities in it: therefore he required him to make the abjuration in common form, which he refused to do, and appealed to the King as the supreme head of the church. Yet the Bishop pronounced him *contumax*, and did excommunicate him; but whether he was released on his appeal, or not, I do not find; yet perhaps this was the man of whom the Pope complained to the English ambassadors, 1532, that an heretic having appealed to the King as the supreme head of the church, was taken out of the Bishop's hands, and judged and

acquitted in the King's courts. It is probable this was the man, only the Pope was informed, that it was from the Archbishop of Canterbury that he appealed, in which there might be a mistake for the Bishop of London. But whatever ground there may be for that conjecture, Philips got his liberty, and put in a complaint to the House of Commons, which produced the act about heretics.

A stop is put to these cruel proceedings.

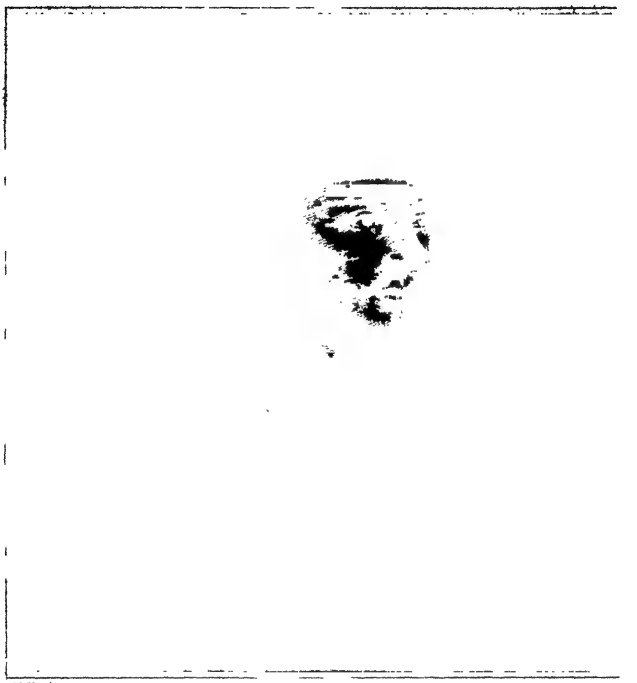
And now that act being passed, together with the extirpation of the Pope's authority, and the power being lodged in the King to correct and reform heresies, idolatries, and abuses, the standard of the catholic faith being also declared to be the Scriptures, the persecuted preachers had ease and encouragement every where. They also saw that the necessity of the King's affairs would constrain him to be gentle to them; for the sentence which the Pope gave against the King was committed to the Emperor to be executed by him, who was then aspiring to a universal monarchy; and therefore as soon as his other wars gave him leisure to look over to England and Ireland, he had now a good colour to justify an invasion, both from the Pope's sentence, and the interests and honour of his family in protecting his aunt and her daughter: therefore the King was to give him work elsewhere, in order to which his interest obliged him to join himself to the princes of Germany, who had at Smalcald entered into a league offensive and defensive, for the liberty of religion and the rights of the empire. This was a thorn in the Emperor's side, which the King's interest would oblige him by all means to maintain. Upon which the reformers in England concluded, that either the King, to recommend himself to these princes, would relax the severities of the law against them, or otherwise, that their friends in Germany would see to it; for in those first fervours of reformations, the princes made that always a condition in their treaties, that those who favoured their doctrine might be no more persecuted.

The Queen favoured the reformers.

But their chief encouragement was from the Queen, who reigned in the King's heart, as absolutely as he

did over his subjects; and was a known favourer of them. She took Shaxton and Latimer to be her chaplains, and soon after promoted them to the bishopricks of Salisbury and Worcester, then vacant by the deprivation of Campegio and Ghinuccii; and in all other things cherished and protected them, and used her most effectual endeavours with the King to promote the Reformation. Next to her, Cranmer, archbishop of Canterbury, was a professed favourer of it, who besides the authority of his character and see, was well fitted for carrying it on, being a very learned and industrious man. He was at great pains to collect the sense of ancient writers, upon all the heads of religion, by which he might be well directed in such an important matter. I have seen two volumes in folio written with his own hand, containing upon all the heads of religion a vast heap, both of places of Scripture and quotations out of ancient fathers, and later doctors, and schoolmen, by which he governed himself in that work. There is also an original letter of the Lord Burghley's extant, which I have seen, in which he writes, that he had six or seven volumes of his writings; all which, except two other that I have seen, are lost, for aught I can understand. From which it will appear in the sequel of this work, that he neither copied from foreign writers, nor proceeded rashly in the Reformation. He was a man of great temper; and, as I have seen in some of his letters to Osiander, and some of Osiander's answers to him, he very much disliked the violence of the German divines. He was gentle in his whole behaviour; and though he was a man of too great candour and simplicity to be refined in the arts of policy, yet he managed his affairs with great prudence; which did so much recommend him to the King, that no ill offices were ever able to hurt him. It is true, he had some singular opinions about ecclesiastical functions and offices, which he seemed to make wholly dependant on the magistrate, as much as the civil were; but as he never studied to get his opinion in that made a part of the doctrine of the church,

Cranmer promoted the Reformation.



reserving only to himself the freedom of his own thoughts, which I have reason to think he did afterwards either change, or at least was content to be overruled in it: so it is clear that he held not that opinion to get the King's favour by it, for in many other things, as in the business of the six articles, he boldly and freely argued, both in the Convocation and the House of Peers, against that which he knew was the King's mind, and took his life in his hands, which had certainly been offered at a stake, if the King's esteem of him had not been proof against all attempts.

Next him, or rather above him, was Cromwell, who was made the King's vicegerent in ecclesiastical matters, a man of mean birth, but noble qualities, as appeared in two signal instances; the one being his pleading in parliament so zealously and successfully for the fallen and disgraced Cardinal, whose secretary he was, when Gardiner, though more obliged by him, had basely forsaken him. This was thought so just and generous in him, that it did not at all hinder his preferment, but raised his credit higher; such a demonstration of gratitude and friendship in misfortune being so rare a thing in a court. The other was his remembering the merchant of Lucca, that had pitied and relieved him when he was a poor stranger there, and expressing most extraordinary acknowledgments and gratitude when he was afterwards in the top of his greatness: and the other did not so much as know him, much less pretend to any returns for past favours, which shewed that he had a noble and generous temper; only he made too much haste to be great and rich. He joined himself in a firm friendship to Cranmer, and did promote the Reformation very vigorously.

The Duke of Norfolk and Gardiner opposed it.

But there was another party in the court, that wrestled much against it; the head of it was the Duke of Norfolk, who, though he was the Queen's uncle, yet was her mortal enemy. He was a dexterous courtier and complied with the King, both in his divorce and separation from Rome, yet did upon all occasions persuade the King to innovate nothing in religion: his

great friend, that joined all along with him in those counsels, was Gardiner, bishop of Winchester, who was a crafty and politic man, and understood the King well, and complied with his temper in every thing; he despised Cranmer, and hated all reformation. Longland, that had been the King's confessor, was also managed by them, and they had a great party in the court, and almost all the churchmen were on their side.

Reasons against the Reformation

That which prevailed most with the King was, that himself had writ a book in defence of the faith, and they said, would he now retract that, which all learned men admired so much? or would he encourage Luther and his party, who had treated him with so little respect? If he went to change the doctrines that were formerly received, all the world would say he did it in spite to the Pope, which would cast a great dishonour on him, as if his passion governed his religion. Foreign princes, who in their hearts did not much blame him for what he had hitherto done, but rather wished for a good opportunity to do the like, would now condemn him if he meddled with the religion: and his own subjects, who complied with that which he had done, and were glad to be delivered from foreign jurisdiction, and the exactions of the court of Rome, would not bear a change of the faith, but might be thereby easily set on, by the emissaries of the Pope or Emperor, to break out in rebellion. These things being managed skilfully, and agreeing with his own private opinion, wrought much on him; and particularly what was said about his own book, which had been so much commended to him, that he was almost made believe, it was written by a special inspiration of the Holy Ghost.

Reasons for it.

But, on the other side, Cranmer represented to him, that since he had put down the Pope's authority, it was not fit to let those doctrines be still taught, which had no other foundation but the decrees of popes: and he offered, upon the greatest hazard, to prove, that many things then received as articles of faith, were no better grounded; therefore he pressed the King

to give order to hear and examine things freely, that when the Pope's power was rejected, the people might not be obliged to believe doctrines, which had no better warrant. And, for political councils, he was to do the duty of a good Christian prince, and leave the event to God; and things might be carried on with that due care, that the justice and reasonableness of the King's proceedings should appear to all the world. And whereas it was objected, that the doctrines of the catholic church ought not to be examined by any particular church: it was answered, that when all Christendom were under one Emperor, it was easy for him to call general councils, and in such circumstances it was fit to stay for one; and yet even then, particular churches did in their national synods condemn heresies, and reform abuses. But the state of Christendom was now altered, it was under many princes, who had different interests, and therefore they thought it a vain expectation to look for any such council. The Protestants of Germany had now for above ten years desired the Emperor to procure one, but to no effect; for sometimes the Pope would not grant it, at other times the French King protested against it. The former year the Pope had sent to the King to offer a general council to be held at Mantua this year, but the King found that was but an illusion; for the Marquis of Mantua protested, he would not admit such a number of strangers as a council would draw together into his town; yet the King promised to send his ambassadors thither, when the council met. But now the King, consulting his prelates, whether the Emperor might by his authority summon a general council, as the Roman emperors had done; some of them gave the following answer, copied from the original that is yet extant, which might have been written any time between the year 1534, in which Thomas Goodrick was made bishop of Ely, and the year 1540, in which John Clark, bishop of Bath and Wells died; but I incline to think from other cirumstances, that it was written about the end of the year 1534.

Hall.

A resolution of some bishops about the calling of a general council.

For the General Council.

Ex MSS. DD Sullingfleet.

"Though that in the old time, when the empire of Rome had his ample dominion over the most part of the world, the first four general councils (the which at all times have been of most estimation in the church of Christ) were called and gathered by the Emperor's commandment, and for a godly intent; that heresies might be extinct, schisms put away, good order and manners in the ministers of the church and the people of the same established. Like as many councils more were called: till now of late by the negligence, as well of the Emperor and other princes, the Bishop of Rome hath been suffered to usurp this power; yet now, for so much that the empire of Rome, and the monarchy of the same hath no such general dominion; but many princes have absolute power in their own realms, and a whole and entire monarchy, no one prince may by his authority call any general council, but if that any one or more of these princes, for the establishing of the faith, for the extirpation of schism, &c. lovingly, charitably, with a good sincere intent, to a sure place, require any other prince, or the rest of the great princes, to be content to agree, that for the wealth, quietness, and tranquillity of all Christian people, by his or their free consent, a general council might be assembled: that prince, or those princes, so required, are bound by the order of charity, for the good fruit that may come of it, to condescend and agree thereunto, having no lawful impediment, nor just cause moving to the contrary. The chief causes of the general councils are before expressed.

"In all the ancient councils of the church, in matters of the faith and interpretation of the Scripture, no man made definitive subscription, but bishops and priests, forsomuch as the declaration of the word of God pertaineth unto them.

T. Cantuarien.
Cuthbertus Dunelmen.
Jo. Bath. Wellen.
Tho. Elien."

But besides this resolution, I have seen a long speech of Cranmer's, written by one of his secretaries. It was spoken soon after the parliament had passed the acts formerly mentioned, for it relates to them as lately done; it was delivered either in the House of Lords, the Upper House of Convocation, or at the Council Board; but I rather think, it was in the House of Lords, for it begins, My Lords. The matter of it does so much concern the business of reformation, that I know the reader will expect I should set down the heads of it. It appears he had been ordered to inform the House about these things. The preamble of his speech runs upon this conceit. "That as rich men, flying from their enemies, carry away all they can with them, and what they cannot take away, they either hide or destroy it; so the court of Rome had destroyed so many ancient writings, and hid the rest, having carefully preserved every thing that was of advantage to them, that it was not easy to discover what they had so artificially concealed: therefore in the canon law, some honest truths were yet to be found, but so mislaid, that they are not placed where one might expect them, but are to be met with in some other chapters, where one would least look for them. And many more things said by the ancients, of the see of Rome, and against their authority, were lost, as appears by the fragments yet remaining. He shewed that many of the ancients called every thing which they thought well done, of Divine institution, by a large extent of the phrase, in which sense the passages of many fathers, that magnified the see of Rome, were to be understood.

A speech of Cranmer's about a general council.

Ex MSS. DD Stillingfleet.

"Then he shewed for what end general councils were called, to declare the faith and reform errors; not that ever any council was truly general, for even at Nice there were no bishops almost but out of Egypt, Asia, and Greece; but they were called general because the Emperor summoned them, and all Christendom did agree to their definitions; which he proved by several authorities: therefore, though there were many more bishops in the council of Arimini, than at

Nice or Constantinople, yet the one was not received as a general council, and the others were; so that it was not the number nor authority of the bishops, but the matter of their decisions, which made them be received with so general a submission.

"As for the head of the council: St. Peter and St. James had the chief direction of the council of the apostles, but there were no contests then about headship. Christ named no head, which could be no more called a defect in him than it was one in God, that had named no head to govern the world. Yet the church found it convenient to have one over them, so archbishops were set over provinces. And though St. Peter had been head of the apostles, yet as it is not certain that he was ever in Rome, so it does not appear that he had his headship for Rome's sake, or that he left it there; but he was made head for his faith, and not for the dignity of any see: therefore the bishops of Rome could pretend to nothing from him but as they followed his faith; and Liberius, and some other bishops there, had been condemned for heresy; and if, according to St. James, faith be to be tried by works, the lives of the popes for several ages gave shrewd presumptions, that their faith was not good. And though it were granted that such a power was given to the see of Rome, yet by many instances he shewed that positive precepts in a matter of that nature were not for ever obligatory. And therefore Gerson wrote a book, 'De Auferibilitate Papæ.' So that if a Pope with the Cardinals be corrupted, they ought to be tried by a general council, and submit to it. St. Peter gave an account of his baptizing Cornelius, when he was questioned about it. So Damasus, Sixtus, and Leo purged themselves of some scandals.

"Then he shewed how corrupt the present Pope was, both in his person and government, for which he was abhorred even by some of his cardinals, as himself had heard and seen at Rome. It was true there was no law to proceed against a vicious pope, for it was a thing not foreseen, and thought scarcely pos-

sible; but new diseases required new remedies, and if a pope that is an heretic may be judged in a council, the same reason would hold against a simoniacal, covetous, and impious pope, who was salt that had lost its savour. And by several authorities he proved, that every man who lives so, is thereby out of the communion of the church; and as the pre-eminence of the see of Rome flowed only from the laws of men, so there was now good cause to repeal these; for the Pope, as was said in the council of Basil, was only vicar of the church, and not of Christ, so he was accountable to the church. The council of Constance and the divines of Paris had, according to the doctrine of the ancient church, declared the Pope to be subject to a general council, which many popes in former ages had confessed. And all that the Pope can claim, even by the canon law, is only to call and preside in a general council, but not to overrule it, or have a negative vote in it.

"The power of councils did not extend to princes, dominions, or secular matters, but only to points of faith which they were to declare, and to condemn heretics: nor were their decrees laws till they were enacted by princes. Upon this he enlarged much, to shew that though a council did proceed against a king (with which they then threatened the King), that their sentence was of no force, as being without their sphere. The determination of councils ought to be well considered and examined by the Scriptures, and in matters indifferent men ought to be left to their freedom; he taxed the severity of Victor's proceedings against the churches of the East about the day of Easter: and concluded, that as a member of the body is not cut off except a gangrene comes in it, so no part of the church ought to be cut off, but upon a great and inevitable cause. And he very largely shewed with what moderation and charity the church should proceed even against those that held errors. And the standard of the council's definitions should only be taken from the Scriptures, and not from men's traditions.

"He said, some general councils had been rejected by others, and it was a tender point how much ought to be deferred to a council; some decrees of councils were not at all obeyed. The divines of Paris held, that a council could not make a new article of faith that was not in the Scriptures. And as all God's promises to the people of Israel, had this condition implied within them, 'If they kept his commandments;' so he thought the promises to the Christian church had this condition in them, 'If they kept the faith.' Therefore he had much doubting in himself as to general councils, and he thought that only the word of God was the rule of faith, which ought to take place in all controversies of religion. The Scriptures were called canonical, as being the only rules of the faith of Christians; and these, by appointment of the ancient councils, were only to be read in the churches. The fathers, SS. Ambrose, Jerome, and Austin, did in many things differ from one another, but always appealed to the Scriptures as the common and certain standard. And he cited some remarkable passage out of St. Austin, to shew what difference he put between the Scriptures and all the other writings even of the best and holiest fathers. But when all the fathers agreed in the exposition of any place of Scripture, he acknowledged he looked on that as flowing from the Spirit of God, and it was a most dangerous thing to be wise in our own conceit: therefore he thought councils ought to found their decisions on the word of God, and those expositions of it that had been agreed on by the doctors of the church.

"Then he discoursed very largely what a person a judge ought to be; he must not be partial, nor a judge in his own cause, nor so much as sit on the bench when it is tried, lest his presence should overawe others. Things also done upon a common error cannot bind, when the error upon which they were done comes to be discovered; and all human laws ought to be changed, when a public visible inconvenience follows them. From which he concluded, that the

Pope, being a party, and having already passed his sentence in things which ought to be examined by a general council, could not be a judge, nor sit in it. Princes, also, who upon a common mistake, thinking the Pope head of the church, had sworn to him, finding that this was done upon a false ground, may pull their neck out of his yoke, as every man may make his escape out of the hands of a robber. And the court of Rome was so corrupt that a pope, though he meant well as Hadrian did, yet could never bring any good design to an issue; the cardinals and the rest of that court being so engaged to maintain their corruptions." These were the heads of that discourse, which it seems he gave them in writing after he had delivered it; but he promised to entertain them with another discourse of the power the bishops of the christian church have in their sees, and of the power of a christian prince to make them do their duty; but that I could never see, and I am afraid it is lost.

All this I thought necessary to open, to shew the state of the court, and the principles that the several parties in it went upon, when the Reformation was first brought under consideration, in the third period of this King's reign, to which I am now advanced.

PART I.—BOOK III.

OF THE OTHER TRANSACTIONS ABOUT RELIGION AND REFORMATION DURING THE REST OF THE REIGN OF KING HENRY VIII.

THE KING having passed through the traverses and tossings of his suit of divorce, and having, with the concurrence both of his clergy and parliament, brought about what he had projected, seemed now at ease in his own dominions. But though matters were carried in public assemblies smoothly and successfully, yet there were many secret discontents, which, being fomented both by the Pope and the Emperor's agents, wrought him great trouble; so

1535. The rest of the King's reign grows troublesome.

that the rest of his life was full of vexation and disquiet.

All that were zealously addicted to that which they called the old religion, did conclude, that whatever firmness the King expressed to it now was either pretended out of policy, for avoiding the inconveniences which the fears of a change might produce: or, though he really intended to perform what he professed, yet the interests in which he must embark with the Princes of Germany against the Pope and the Emperor, together with the power that the Queen had over him, and the credit Cranmer and Cromwell had with him, would prevail on him to change some things in religion. And they looked on these things as so complicated together, that the change of any one must needs make way for change in more; since that struck at the authority of the church, and left people at liberty to dispute the articles of faith. This they thought was a gate opened to heresy. And therefore they were every where meeting together, and consulting what should be done for suppressing heresy, and preserving the Catholic faith

By the practices of the monks and friars

That zeal was much inflamed by the monks and friars, who clearly saw the acts of parliament were so levelled at their exemptions and immunities, that they were now like to be at the King's mercy. They were no more to plead their bulls, nor claim any privileges, further than it pleased the King to allow them. No new saints from Rome could draw more riches or honour to their orders. Privileges and indulgences were out of doors; so that the arts of drawing in the people, to enrich their churches and houses, were at an end. And they had also secret intimations, that the King and the courtiers, had an eye on their lands, and they gave themselves for lost, if they could not so embroil the King's affairs, that he should not adventure on so invidious a thing: therefore, both in confessions and conferences, they infused into the people a dislike of the King's proceedings; which, though for some time it did not break out into open rebellion, yet the humour still

fermented, and people only waited for an opportunity: so that, if the Emperor had not been otherwise distracted, he might have made war upon the King, with great advantages: for many of his discontented subjects would have joined with the enemy. But the King did so dexterously manage his leagues with the French King, and the princes of the empire, that the Emperor could never make any impressions on his dominions.

Which provoked the King to great severities.

But those factious spirits, seeing nothing was to be expected from any foreign power, could not contain themselves, but broke out into open rebellion. And this provoked the King to great severities; his spirit was so fretted, by the tricks the court of Rome had put on him, and by the ingratitude and seditious practices of Reginald Pool, that he thereby lost much of his former temper and patience, and was too ready upon slight grounds to bring his subjects to the bar. Where, though the matter was always so ordered that, according to law, they were indicted and judged: yet the severity of the law bordering sometimes on rigour and cruelty, he came to be called a cruel tyrant. Nor did his severity lie only on one side, but being addicted to some tenets of the old religion, and impatient of contradiction; or perhaps blown up, either with the vanity of his new title, of Head of the Church, or with the praises which flatterers bestowed on him; he thought all persons were bound to regulate their belief by his dictates, which made him prosecute Protestants as well as Papists. Yet it does not appear that cruelty was natural to him. For in twenty-five years' reign, none had suffered for any crime against the state, but Pool, earl of Suffolk, and Stafford, duke of Buckingham. The former, he prosecuted in obedience to his father's last commands at his death. His severity to the other was imputed to the Cardinal's malice. The proceedings were also legal. And the Duke of Buckingham had, by the knavery of a priest, to whom he gave great credit, been made believe he had a right to the crown; and practices of that nature touch princes so nearly, that

no wonder the law was executed in such a case. This shews, that the King was not very jealous, nor desirous of the blood of his subjects. But though he always proceeded upon law, yet in the last ten years of his life many instances of severity occurred, for which he is rather to be pitied, than either imitated or sharply censured.

The former Book was full of intrigues and foreign transactions; the greatest part of it being an account of a tedious negotiation with the subtlest and most refined court of Christendom, in all the art of human policy. But now my work is confined to this nation; and, except in short touches by the way, I shall meddle no further with the mysteries of state; but shall give as clear an account of those things that relate to religion and reformation as I could possibly recover. The suppression of monasteries, the advance and declension of reformation, and the proceedings against those who adhered to the interests of the court of Rome, must be the chief subjects of this Book. The two former shall be opened, in the series of time as they were transacted; but the last shall be left to the end of the Book, that it may be presented in one full view.

After the parliament had ended their business, the bishops did all renew their allegiance to the King, and swore also to maintain his supremacy in ecclesiastical matters; acknowledging that he was the supreme head of the church of England, though there was yet no law for the requiring of any such oath. The first act of the King's supremacy was, his naming Cromwell vicar-general, and general visitor of all the monasteries and other privileged places. This is commonly confounded with his following dignity of lord vicegerent in ecclesiastical matters; but they were two different places, and held by different commissions. By the one, he had no authority over the bishops, nor had he any precedence; but the other, as it gave him the precedence next the royal family, so it clothed him with a complete delegation of the King's whole power in ecclesiastical affairs. For two years he was only

vicar-general: but the tenor of his commissions, and the nature of the power devolved on him by them, cannot be fully known. For neither the one nor the other are in the Rolls, though there can be no doubt made but commissions of such importance were enrolled; therefore the loss of them can only be charged on that search and rasure of records made by Bonner, upon the commission granted to him by Queen Mary; of which I have spoken in the preface of this work. In the Prerogative Office there is a subaltern commission granted to Dr. (afterwards Secretary) Petre, on January 13, in the twenty-seventh year of the King's reign; by which it appears, that Cromwell's commission was at first conceived in very general words; for he is called the King's vicegerent in ecclesiastical causes, his vicar-general, and official principal. But because he could not himself attend upon all these affairs, therefore Dr Petre is deputed under him, for receiving the probates of wills: from thence likewise it appears, that all wills, where the estate was 200 lib. or above, were no more to be tried or proved in the bishops' courts, but in the vicar-general's court. Yet though he was called vicegerent in that commission, he was spoken of, and writ to, by the name of vicar-general; but after the second commission, seen and mentioned by the Lord Herbert in July, 1536, he was always designed lord vicegerent.*

The next thing that was every where laboured with great industry was, to engage all the rest of the clergy, chiefly the regulars, to own the King's supremacy; to which they generally submitted. In Oxford, the question being put, Whether the Pope had any other jurisdiction in England than any other foreign bishop? it was referred to thirty doctors and bachelors, who were empowered to set the University-seal to their conclusion. They all agreed in the negative, and the whole University, being examined about it man by man, assented to their determination. All the diffi-

Antup. Oxon lib 1 p. 258. The original letter is in Cott Lib Cleop. E. 4 Feb 15

* Collier is severe upon the Bishop for speaking of the offices of Vicar-General and Vicegerent, as distinct offices But see upon this Mr. *Lewis's* remarks in the *Collectanea Curiosa*, vol. II. Oxford, 1781.—N.

The Franciscan friars refuse it.

culty that I find made was at Richmond, by the Franciscan friars, where the Bishop of Coventry and Litchfield (Rowland Lee) and Thomas Bedyl, tendered some conclusions to them; among which this was one:—"That the pope of Rome has no greater jurisdiction in this kingdom of England, by the law of God, than any other foreign bishop." This they told them was already subscribed by the two Archbishops, the Bishops of London, Winchester, Duresme, Bath, and all the other prelates, and heads of houses, and all the famous clerks of the realm. And therefore they desired that the friars would refer the matter to the four seniors of the house, and acquiesce in what they should do. But the friars said, it concerned their consciences, and therefore they would not submit it to a small part of their house: they added, that they had sworn to follow the rule of St. Francis, and in that they would live and die; and citeu a chapter of their rule—"That their order should have a cardinal for their protector, by whose directions they might be governed in their obedience to the holy see." But to this the Bishop answered, that St. Francis lived in Italy, where the monks and other regulars, that had exemptions, were subject to the Pope, as they were in England to the Archbishop of Canterbury. And for the chapter which they cited, it was shewed them, that it was not written by St. Francis, but made since his time; and though it were truly a part of his rule, it was told them, that no particular rule ought to be preferred to the laws of the land; to which all subjects were bound to give obedience, and could not be excused from it by any voluntary obligation under which they brought themselves. Yet all this could not prevail on them; but they said to the Bishop, they had professed St. Francis's rule, and would still continue in the observance of it.

A general visitation of monasteries is designed.

But though I do not find such resistance made elsewhere, yet it appears that some secret practices of many of those orders against the state were discovereu; therefore it was resolved, that some effectual means must be taken for lessening their credit and

authority with the people; and so a general visitation of all monasteries and other religious houses was resolved on. This was chiefly advised by Dr. Leighton, who had been in the Cardinal's service with Cromwell, and was then taken notice of by him, as a dexterous and diligent man, and therefore was now made use of on this occasion. He, by a letter to Cromwell, advertised him, that upon a long conference with the Dean of the Arches, he found the Dean was of opinion, that it was not fit to make any visitation in the King's name yet, for two or three years, till his supremacy were better received; and that he apprehended a severe visitation so early would make the clergy more averse to the King's power. But Leighton, on the other hand, thought nothing would so much recommend the supremacy, as to see such good effects of it as might follow upon a strict and exact visitation. And the abuses of religious persons were now so great and visible, even to the laity, that the correcting and reforming these would be a very popular thing. He writ further, that there had been no visitation in the northern parts since the Cardinal ordered it: therefore he advised one, and desired to be employed in Yorkshire. And, by another letter, dated the 4th of June, he wrote to Cromwell, desiring that Dr. Lee and he might be employed in visiting all the monasteries from the diocese of Lincoln northwards; which they could manage better than any body else, having great kindred and a large acquaintance in those parts: so that they would be able to discover all the disorders or seditious practices in these houses. He complained, that former visitations had been slight and insignificant, and promised great faithfulness and diligence, both from himself and Dr. Lee. Orig. Cott. Lib. R. 4.

The Archbishop of Canterbury was now making his metropolitical visitation, having obtained the King's license for it; which says, that he having desired, that according to the custom and the prerogative of his metropolitical see, he might make his visitation, the King granted him license to do it, and Cranmer makes his metropolitical visitation.

required all to assist and obey him; dated the 28th of April. Things were not yet ripe for doing great matters; so that which he now looked to, was to see that all should submit to the King's supremacy, and renounce any dependance on the Pope, whose name was to be struck out of all the public offices of the church. This was begun in May, 1535. Stokesley, bishop of London, submitted not to this visitation, till he had entered three protestations for keeping up of privileges.

Rot. Pat. Regn. 26. Part 1.

Regist. Stokes. fol. 44.

The King's visitation begun.

In October began the great visitation of monasteries, which was committed to several commissioners. Leighton, Lee, and London were most employed: but many others were also empowered to visit. For I find letters from Robert Southwell, Ellice Price, John Ap-price, Richard Southwell, John Gage, Richard Bellasis, Walter Hendle, and several others, to Cromwell; giving him an account of the progress they made in their several provinces. Their commissions, if they were passed under the great seal, and enrolled, have been taken out of the Rolls; for there are none of them to be found there. Yet I incline to think, they were not under the great seal. For I have seen an original commission for the visitation that was next year, which was only under the King's hand and signet. From which it may be inferred, that the commissions this year were of the same nature: yet whether such commissions could authorize them to grant dispensations, and discharge men out of the houses they were in, I am not skilled enough in law to determine. And by their letters to Cromwell, I find they did assume authority for these things. So what their power was, I am not able to discover. But besides their powers and commissions, they got instructions to direct them in their visitations and injunctions to be left in every house, of which, though I could not recover the originals, yet copies of very good authority I have seen, which the reader will find in the Collection at the end of this Book. The instructions contain eighty-six articles. The substance of them was, to try,

In MSS. D. G. Pierpoint.

Cott. Lib. Cleop. E. 4.

"Whether Divine service was kept up, day and night, in the right hours? And how many were commonly present, and who were frequently absent? Instructions for the visitation See Collect Numb. 1.

"Whether the full number, according to the foundation, was in every house? Who were the founders? What additions have been made since the foundation? And what were their revenues? Whether it was ever changed from one order to another? By whom? And for what cause?

"What mortmains they had? And whether their founders were sufficiently authorized to make such donations?

"Upon what suggestions, and for what causes, they were exempted from their diocesans?

"Their local statutes were also to be seen and examined.

"The election of their head was to be inquired into. The rule of every house was to be considered. How many professed? And how many novices were in it? And at what time the novices professed?

"Whether they knew their rule and observed it? Chiefly the three vows of poverty, chastity, and obedience? Whether any of them kept any money without the master's knowledge? Whether they kept company with women, within or without the monastery? Or if there were any back doors, by which women came within the precinct? Whether they had any boys lying by them?

"Whether they observed the rules of silence, fasting, abstinence, and hair shirts? Or by what warrant they were dispensed with, in any of these?

"Whether they did eat, sleep, wear their habit, and stay within the monastery, according to their rules?

"Whether the master was too cruel, or too remiss? And whether he used the brethren without partiality or malice?

"Whether any of the brethren were incorrigible?

"Whether the master made his accompts faithfully once a year? Whether all the other officers made their accompts truly? And whether the whole re-

venues of the house were employed according to the intention of the founders?

"Whether the fabric was kept up, and the plate and furniture were carefully preserved?

"Whether the covent-seal, and the writings of the house, were well kept? And whether leases were made by the master to his kindred and friends, to the damage of the house? Whether hospitality was kept, and whether, at the receiving of novices, any money or reward was demanded or promised? What care was taken to instruct the novices?

"Whether any had entered into the house, in hope to be once the master of it?

"Whether, in giving presentations to livings, the master had reserved a pension out of them? Or what sort of bargains he made concerning them?

"An account was to be taken, of all the parsonages and vicarages belonging to every house, and how these benefices were disposed of, and how the cure was served."

All these things were to be inquired after in the house of monks or friars. And in the visitation of nunneries, they were to search,

"Whether the house had a good inclosure, and if the doors and windows were kept shut, so that no man could enter at inconvenient hours?

"Whether any men conversed with the sisters alone, without the abbess's leave?

"Whether any sister was forced to profess, either by her kindred, or by the abbess?

"Whether they went out of their precinct without leave? And whether they wore their habit then?

"What employment they had out of the times of Divine service? What familiarity they had with religious men? Whether they wrote love-letters? Or sent and received tokens or presents?

"Whether the confessor was a discreet and learned man, and of good reputation? And how oft a year the sisters did confess and communicate?"

They were also to visit all collegiate churches, hospitals and cathedrals, and the order of the Knights of

Jerusalem. But if this copy be complete, they were only to view their writings and papers, to see what could be gathered out of them, about the reformation of monastical orders. And as they were to visit, according to these instructions, so they were to give some injunctions in the King's name.

"That they should endeavour, all that in them lay, that the act of the King's succession should be observed," (where it is said, 'that they had under their hands and seals confirmed it.' This shews, that all the religious houses of England had acknowledged it:) "and they should teach the people, that the King's power was supreme on earth, under God, and that the Bishop of Rome's power was usurped by craft and policy, and by his ill canons and decretals, which had been long tolerated by the Prince, but was now justly taken away. Injunctions for all religious houses. See Collect Numb 2.

"The abbot and brethren were declared to be absolved from any oath they had sworn to the Pope, or to any foreign potentate; and the statutes of any order, that did bind them to a foreign subjection, were abrogated, and ordered to be razed out of their books.

"That no monk should go out of the precinct, nor any woman enter within it, without leave from the King or the visitor, and that there should be no entry to it, but one.

"Some rules were given about their meals, and a chapter of the Old or New Testament was ordered to be read at every one. The abbot's table was to be served with common meats, and not with delicate and strange dishes; and either he, or one of the seniors, was to be always there to entertain strangers.

"Some other rules follow about the distribution of their alms, their accommodation in health and sickness. One or two of every house was to be kept at the University, that, when they were well instructed, they might come and teach others: and every day, there was to be a lecture of divinity for a whole hour: the brethren must all be well employed.

"The abbot or head was every day to explain some part of the rule, and apply it according to Christ's law:

and to shew them, that their ceremonies were but elements, introductory to true Christianity; and that religion consisted not in habits, or in such-like rites, but in cleanness of heart, pureness of living, unfeigned faith, brotherly charity, and true honouring of God in spirit and truth: that therefore they must not rest in their ceremonies, but ascend by them to true religion.

"Other rules are added about the revenues of the house, and against wastes, and that none be entered into their house, nor admitted under twenty-four years of age.

"Every priest in the house was to say mass daily, and in it to pray for the King and Queen.

"If any brake any of these injunctions, he was to be denounced to the King, or his Visitor-general. The Visitor had also authority to punish any, whom he should find guilty of any crime, and to bring the Visitor-general such of their books and writings as he thought fit."

An account of the progress of the monastical state in England

But before I give an account of this visitation, I presume it will not be ingrateful to the reader, to offer him some short view of the rise and progress of monastic orders in England, and of the state they were in at this time. What the ancient British monks were, or by what rule they were governed; whether it was from the eastern churches, that this constitution was brought into Britain, and was either suited to the rule of St. Anthony, St. Pachom, or St. Basil; or whether they had it from France, where Sulpitius tells us, St. Martin set up monasteries, must be left to conjecture. But from the little that remains of them, we find they were very numerous, and were obedient to the Bishop of Caerleon, as all the monks of the primitive times were to their bishops, according to the canons of the council of Chalcedon.

But, upon the confusions which the Gothic wars brought into Italy, Benedict and others set up religious houses: and more artificial rules and methods were found out for their government. Not long after that, Austin the monk came into England; and having baptized Ethelbert, he persuaded him to found a monas-

tery at Canterbury, which the King, by his charter, exempted from the jurisdiction of the Archbishop and his successors. This was not only done by Austin's consent, but he by another writing confirms this foundation, and exempted both the monastery and all the churches belonging to it from his or his successors' jurisdictions; and most earnestly conjures his successors, never to give any trouble to the monks, who were only to be subject to their own abbot. And this was granted, that they might have no disturbance in the service of God. (But whether this, with many other ancient foundations, were not latter forgeries, which I vehemently suspect, I leave to critics to discuss.) The next exemption, that I find, was granted in the year 680, to the abbey of Peterborough, by Pope Agatho, and was signed by Theodore, archbishop of Canterbury, called the Pope's legate. (This I doubt was forged afterwards.) In the year 725, King Ina's charter to the abbey of Glassenbury relates to their ancient charters, and exempts them from the bishop's jurisdiction. King Offa founded and exempted the monastery of St. Albans, in the year 793, which Pope Honorius III. confirmed, anno 1218. Kenulph, king of Mercia, founded and exempted Abington, in the year 821. Knut founded and exempted St. Edmundsbury, in the year 1020.

The exemptions of monasteries. See Monasticon.

About the end of the eighth century, the Danes began to make their descents into England, and made every where great depredations; and finding the monks had possessed themselves of the greatest part of the riches of the nation, they made their most frequent inroads upon these places where they knew the richest spoil was to be found. And they did so waste and ruin these houses, that they were generally abandoned by the monks, who as they loved the ease and wealth they had enjoyed formerly in their houses, so had no mind to expose themselves to the persecutions of those heathenish invaders. But when they had deserted their seats, the secular clergy came and possessed them; so that in King Edgar's time there was scarce a monk in all England. He was a most dissolute and

Monasteries generally wasted and deserted.

Antiquit Britan

But are again set up by King Edgar.

lewd prince; but, being persuaded by Dunstan, and other monks, that what he did towards restoring of that decayed state would be a matter of great merit, became the great promoter of the monastical state in England; for he converted most of the chapters into monasteries; and by his foundation of the priory of Worcester, it appears, he had then founded no fewer than forty-seven, which he intended to increase to fifty, the number of pardons. Yet in his foundations, he only exempted the monasteries from all exactions or dues, which the bishops claimed. There are exemptions of several rates and sizes: some houses were only exempted from all exactions; others from all jurisdiction or visitations; others had only an exemption for their precinct; others for all the churches that belonged to them. Edward the Confessor exempted many of these houses, which Edgar had founded, as Ramsey, &c. He also founded and exempted Westminster; which exemption was confirmed by Pope Nicolas, in a bull to King Edward. William the Conqueror founded and exempted the abbey of Battle from all episcopal jurisdiction.

But after that time I do not find that our kings exempted abbeys from any thing but episcopal exactions; for though formerly kings had made laws, and given orders about ecclesiastical matters, yet now the claim to an immunity from the civil jurisdiction, and also the papal authority, were grown to that height, that princes were to meddle no more with sacred things. And henceforth all exemptions were granted by the popes, who claimed a jurisdiction over the whole church; and assumed that power to themselves, with many other usurpations.

Arts used by the monks for enriching their houses.

All the ancient foundations were subscribed by the King, the Queen, and Prince, with many bishops and abbots, and dukes and earls consenting. The abbeys being exempted from all jurisdiction, both civil and spiritual, and from all impositions; and having generally the privilege of sanctuary for all that fled to them, were at ease, and accountable to none; so they might do what they pleased. They found also means

to enrich themselves, first, by the belief of purgatory. For they persuaded all people, that the souls departed went generally thither: few were so holy, as to go straight to heaven; and few so bad, as to be cast to hell. Then people were made believe, that the saying of masses for their souls gave them great relief in torments, and did at length deliver them out of them. This being generally received, it was thought by all a piece of piety to their parents, and of necessary care for themselves and their families, to give some part of their estates towards the enriching of these houses, for having a mass said every day for the souls of their ancestors, and for their own, after their death. And this did so spread, that if some laws had not restrained their profuseness, the greater part of all the estates in England had been given to those houses. But the statutes of mortmain were not very effectual restraints; for what king soever had refused to grant a mortmain, was sure to have an uneasy reign ever after.

Yet this did not satisfy the monks, but they fell upon other contrivances, to get the best of all men's jewels, plate, and furniture. For they persuaded them, that the protection and intercession of saints were of mighty use to them; so that whatsoever respect they put on the shrines and images, but chiefly on the relics of saints, they would find their account in it, and the saints would take it kindly at their hands, and intercede the more earnestly for them. And people, who saw courtiers much wrought on by presents, imagined the saints were of the same temper; only with this difference, that courtiers love to have presents put in their own hands, but the saints were satisfied if they were given to others. And as in the courts of princes, the new favourite commonly had greatest credit, so every new saint was believed to have a greater force in his addresses; and therefore every body was to run to their shrines, and make great presents to them. This being infused into the credulous multitude, they brought the richest things they had to the places where the bodies or relics of

those saints were laid. Some images were also believed to have a peculiar excellency in them; and pilgrimages and presents to these were much magnified. But, to quicken all this, the monks found the means, either by dreams and visions, or strange miraculous stories, to feed the devotion of the people. Relics without number were every where discovered; and most wonderful relations of the martyrdom, and other miracles of the saints, were made and read in all places to the people; and new improvements were daily made in a trade, that, through the craft of the monks, and the simplicity of the people, brought in great advantages. And though there was enough got to enrich them all, yet there was strange rivalling, not only among the several orders, but the houses of the same order. The monks, especially of Glassenbury, St. Albans, and St. Edmundsbury, vied one with another who could tell the most extravagant stories for the honour of their house, and of the relics in it.

ey be- ne gene- ly cor- ued

The monks in these houses abounding in wealth, and living at ease and in idleness, did so degenerate, that, from the twelfth century downward, their reputation abated much; and the privileges of sanctuaries were a general grievance, and oft complained of in parliaments: for they received all that fled to them, which put a great stop to justice, and did encourage the most criminal offenders. They became lewd and dissolute, and so impudent in it, that some of their farms were let for bringing in a yearly tribute to their lusts: nor did they keep hospitality and relieve the poor; but rather encouraged vagabonds and beggars against whom laws were made, both in Edward III. King Henry VII. and this King's reign.

n ch the ing s grew h in it

But from the twelfth century, the orders of begging friars were set up, and they, by the appearance of severity and mortification, gained great esteem. At first they would have nothing, no real estates, but the ground on which their house stood. But afterwards distinctions were found for satisfying their consciences in larger possessions. They were not so

idle and lazy as the monks, but went about as preached, and heard confessions, and carried about indulgences, with many other pretty little things Agnus Dei's, rosaries, and pebbles; which they made the world believe had great virtue in them. And they had the esteem of the people wholly engrossed to themselves They were also more formidable to princes than the monks, because they were poorer, and, by consequence, more hardy and bold. There was also a firmer union of their whole order, they having a general at Rome, and divided into many provinces, subject to their provincials. They had likewise the school-learning wholly in their hands, and were great preachers, so that many things concurred to raise their esteem with the people very high; yet great complaints lay against them, for they went more abroad than the monks did, and were believed guilty of corrupting families. The scandals that went on them, upon their relaxing the primitive strictness of their orders, were a little rectified by some reformations of these orders. But that lasted not long; for they became liable to much censure, and many visitations had been made, but to little purpose. This concurring with their secret practices against the King, both in the matter of his divorce and supremacy, made him more willing to examine the truth of these reports; that if they were found guilty of such scandals, they might lose their credit with the people, and occasions be ministered to the King, to justify the suppression of them.

10. Part. 26.

There were also two other motives that inclined the King to this counsel. The one was, that he apprehended a war from the Emperor, who was then the only prince in the world that had any considerable force at sea; having both great fleets in the Indies, and being Prince of the Netherlands, where the greatest trade of these parts was driven. Therefore the King judged it necessary to fortify his ports, and seeing the great advantages of trade, which began then to rise much, was resolved to encourage it: for which end he intended to build many havens and

The King's secret motives for dissolving these houses.

those p[illegible]ours. This was a matter of great charge, and lieved his own revenue could not defray it, so he had no pilg[illegible]nd to lay heavy taxes on his subjects: therefore nif[illegible]he suppression of monasteries was thought the easiest th[illegible] way of raising money.

r[illegible] He also intended to erect many more bishopricks, to which Cranmer advised him much, that the vastness of some dioceses, being reduced to a narrower compass, bishops might better discharge their duties, and oversee their flocks, according to the Scriptures, and the primitive rules.

Cranmer's design in it

But Cranmer did on another reason press the suppression of monasteries. He found that their foundations, and whole state, was inconsistent with a full and true reformation. For among the things to be reformed were these abuses, which were essential to their constitution; (such as, the belief of purgatory, of redeeming souls by masses, the worship of saints and images, and pilgrimages, and the like.) And therefore those societies, whose interest it was to oppose the Reformation, were once to be suppressed: and then he hoped, upon new endowments and foundations, new houses should have been erected at every cathedral, to be nurseries for that whole diocese; which he thought would be more suitable to the primitive use of monasteries, and more profitable to the church. This was his scheme, as will afterwards appear; which was in some measure effected, though not so fully as he projected, for reasons to be told in their proper place.

First monastery that was dissolved.

There had been a bull sent from Rome for dissolving some monasteries, and erecting bishopricks out of them, as was related in the former Book, in the year 1532. And it seems it was upon that authority, that in the year 1533, the priory of Christ's Church, near Algate in London, was dissolved, and given to the Lord Chancellor, Sir Thomas Audley; (not to make him speak shriller for his master in the House of Commons, as Fuller mistakes it; for he had been lord chancellor a year before this was given him.) The Pope's authority not being at that time put down,

nor the King's supremacy set up, I conjecture it was done pursuant to the bull for the dissolution of some religious houses; but I never saw the dissolution, and so can only guess on what ground it was made. But in the parliament held the former year, in which the King's grant of that house to the Lord Chancellor was confirmed, it is said, in the preamble, "that the prior and convent had resigned that house to the King, the 24th of February, 23d Regni, and had left their house;" but no mention is made upon what reason they did it. Act 10. Rot. Parl. Regn. 25.

But now I come to consider how the visitors carried on their visitations. Many severe things are said of their proceedings; nor is it any wonder, that men who had traded so long in lies, as the monks had done, should load those, whom they esteemed the instruments of their ruin, with many calumnies. By their letters to Cromwell, it appears, that in most houses they found monstrous disorders. That many fell down on their knees, and prayed they might be discharged, since they had been forced to make vows against their wills; with these the visitors dispensed, and set them at liberty. They found great factions in the houses, and barbarous cruelties exercised by one faction against another, as either of them prevailed. In many places, when they gave them the King's injunctions, many cried out, that the severity of them was intolerable, and they desired rather to be suppressed, than so reformed. They were all extremely addicted to idolatry and superstition. In some they found the instruments, and other tools, for multiplying and coining. The proceedings of the visitors Cott. Lib Cleop E 4

But for the lewdness of the confessors of nunneries, and the great corruption of that state, whole houses being found almost all with child; for the dissoluteness of abbots and the other monks and friars, not only with whores, but married women; and for their unnatural lusts and other brutal practices, these are not fit to be spoken of, much less enlarged on in a work of this nature. The full report of this visitation is lost, yet I have seen an extract of a part of it, con- Ibid.

cerning one hundred and forty-four houses, that contains abominations in it equal to any that were in Sodom.

Some houses resigned up to the King.

One passage that is more remarkable, I shall only set down; because upon it followed the first resignation of any religious house that I could ever find. Doctor Leighton beset the Abbot of Langden's house, and broke open his door of a sudden, and found his whore with him; and in the Abbot's coffer there was a habit for her, for she went for a young brother. Whether the shame of this discovery, or any other consideration prevailed with him, I know not; but, on the 13th of November, he and ten monks signed a resignation, which hath an odd kind of preamble, to be found in the Collection. "It says, that the revenue of the house was so much endamaged and engaged in so much debt, that they considering this, and what remedies might be found for it, saw, that except the King, of whose foundation the house was, did speedily relieve them, it must be very quickly ruined, both as to its spiritual and temporal concerns; therefore they surrender up their house to the King." They were of the order of Premonstre, and their house was dedicated to the honour of the blessed Virgin and St. Thomas Becket. This precedent was followed by the like surrender, with the same preamble, on the 15th of November, by the Prior of Folkeston, a Benedictine; and, on the 16th, by the Prior of Dover, with eight monks. These were all of them in the county of Kent. But neither among the original surrenders, nor in the Clause Rolls, are there any other deeds in this year of our Lord. There are indeed in the same year of the King, (which runs till April, 1536,) four other surrenders, with the same preambles. Of Merton, in Yorkshire, a convent of Augustinians, signed by the Prior and five monks, the 9th of February; of Bilsingtoun, in Kent, signed by the Prior and two monks, the 21st of February; of Tilty, in Essex, a convent of Cistercians, signed by the Prior and five monks; and of Hornby, in Yorkshire, a convent of the Premonstre, signed by the

Collect. Numb 3. Sect 1.

The original of these resignations are in the Augmentation Office, and enrolled Rot Claus Part 1 Regn 27.

Prior and two monks, the 23d of March. These were all the surrenders that I can discover to have been made before the act of Parliament, for suppressing the lesser monasteries, passed in the next session that was assembled in February.

1536 The death of Queen Katherine

But before that the afflicted and unfortunate Queen Katherine died at Kimbolton: she had been much disquieted, because she would not lay down her title of Queen. Many of her servants were put from her on that account; but she would accept of no service, from any that did not use her as a queen, and call her so. The King sent oft to her, to persuade her to more compliance. But she stood her ground, and said, since the Pope had judged her marriage good, she would lose her life before she did any thing in prejudice of it. She became more cheerful than she had wont to be; and the country people came much to her, whom she received and used very obligingly, The King had a mind she should go to Fotheringay Castle. But when it was proposed to her, she plainly said, she would never go thither, unless she was carried as a prisoner, bound with ropes. She desired leave to come nearer London; but that was not granted. She had the jointure that was assigned her, as Princess Dowager, and was treated with the respect due to that dignity; but all the women about her still called her Queen. I do not find she had any thoughts of going out of England; though her life in it was but melancholy. Yet her care to support her daughter's title made her bear all the disgraces she lay under. The officious and practising clergy, that were for the court of Rome, looked on her as the head of their party, and asserted her interests much Originals. Otho. C 10 Cott. Lib. Yet she was so watched, that she could not hold any great correspondence with them; though in the matter of the Maid of Kent she had some meddling.

When she sickened, she made her will; and appointed her body to be buried in a convent of Observant friars, (who had done and suffered most for her,) and ordered five hundred masses to be said for her soul; and that one should go a pilgrimage to our

Lady of Walsingham, and give twenty nobles by the way to the poor. Some other small legacies she left to her servants. When the King heard she was sick, he sent a kind message to her; and the Emperor's ambassador went to see her, and to cheer her up; but when she found her sickness like to prove mortal, she made one about her write a letter in her name to the King. In the title she called him, "Her good Lord, King, and Husband. She advised him to look to the health of his soul. She forgave him all the troubles he had cast her into. She recommended their daughter Mary to him, and desired he would be a loving father to her. She also desired, that he would provide matches for her maids, who were but three; and that he would give her servants one year's wages more than was due to them. And concluded lastly, 'I make this vow, that mine eyes desire you above all things.'" By another letter, she recommended her daughter to the Emperor's care. On the 8th of January she died, in the fiftieth year of her age, thirty-three years after she came to England. She was a devout and pious princess, and led a severe and mortified life. In her greatness she wrought much with her own hands, and kept her women well employed about her; as appeared when the two legates came once to speak to her. She came out to them with a skein of silk about her neck, and told them, she had been at work with her women. She was most passionately devoted to the interests of the court of Rome, they being so interwoven with her own. And, in a word, she is represented as a most wonderful good woman. Only I find on many occasions, that the King complained much of her uneasiness and peevishness. But whether the fault was in her humour, or in the provocations she met with, the reader may conjecture. The King received the news of her death with some regret. But he would not give leave to bury her as she had ordered; but made her body be laid in the abbey church of Peterborough, which he afterwards converted to an episcopal cathedral. But Queen Anne did not carry her death so decently;

for she expressed too much joy at it, both in her carriage and dress.

A new session of parliament.

On the 4th of February, the parliament sat, upon a prorogation of fourteen months, (for in the Record there is no mention of any intermedial prorogation,) where a great many laws, relating to civil concerns, were passed. By the 15th act, the power that had been given by a former act to the King, for naming thirty-two persons, to make a collection of ecclesiastical laws, was again confirmed; for nothing had been done upon the former act. But there was no limitation of time in this act, and so there was nothing done in pursuance of it.

The lesser monasteries are suppressed

The great business of this session of parliament was the suppressing the lesser monasteries. How this went through the two houses we cannot know from the Journals, for they are lost. But all the historians of that time, tell us, that the report which the visitors made to the King was read in parliament: which represented the manners of these houses so odiously, that the act was easily carried. The preamble bears, "That small religious houses, under the number of twelve persons, had been long and notoriously guilty of vicious and abominable living; and did much consume and waste their churches, lands, and other things belonging to them; and that for above two hundred years, there had been many visitations for reforming these abuses, but with no success; their vicious living increasing daily: so that except small houses were dissolved, and the religious put into greater monasteries, there could no reformation be expected in that matter. Whereupon the King having received a full information of these abuses, both by his visitors and other credible ways, and considering that there were divers great monasteries, in which religion was well kept and observed, which had not the full number in them, that they might and ought to receive, had made a full declaration of the premises in parliament. Whereupon it was enacted, that all houses which might spend yearly two hundred pounds, or within it, should be suppressed, and their revenues converted to

better uses, and they compelled to reform their lives." The Lord Herbert thinks it strange, that the statute in the printed book has no preamble, but begins bluntly. Fuller tells us, that he wonders that Lord did not see the record; and he sets down the preamble, and says, "The rest follow as in the printed statute, chap. 27th;" by a mistake for the 28th. This shews that neither the one nor the other ever looked on the record. For there is a particular statute of dissolution, distinct from the 28th chapter; and the preamble, which Fuller sets down, belongs not to the 28th chapter, as he says, but to the 18th chapter, which was never printed; and the 28th relates in the preamble to that other statute, which had given these monasteries to the King.

Reasons for doing it

The reasons that were pretended for dissolving these houses, were: that whereas there was but a small number of persons in them, they entered into confederacies together, and their poverty set them on to use many ill arts to grow rich. They were also much abroad, and kept no manner of discipline in their houses. But those houses were generally much richer than they seemed to be: for the abbots, raising great fines out of them, held the leases still low; and by that means, they were not obliged to entertain a greater number in their house, and so enriched themselves and their brethren by the fines that were raised; for many houses, then rated at two hundred pounds, were worth many thousands, as will appear to any that compares, what they were then valued at, (which is collected by Speed,) with what their estates are truly worth. When this was passing in parliament, Stokesley, bishop of London, said, "These lesser houses were as thorns, soon plucked up, but the great abbots were like putrefied old oaks; yet they must needs follow, and so would others do in Christendom, before many years were passed."

By another act, all these houses, their churches, lands, and all their goods, were given to the King, and his heirs and successors, together with all other houses, which within a year before the making of the act had

been dissolved or suppressed; and for the gathering the revenues that belonged to them, a new court was erected, called the Court of the Augmentations of the King's Revenue; which was to consist of a chancellor, a treasurer, an attorney and solicitor, and ten auditors, seventeen receivers, a clerk, an usher, and a messenger. This court was to bring in the revenues of such houses as were now dissolved, excepting only such as the King by his letters-patents continued in their former state, appointing a seal for the court, with full power and authority to dispose of these lands so as might be most for the King's service.

Thus fell the lesser abbeys, to the number of three hundred and seventy-six; and, soon after, this parliament, which had done the King such eminent service, and had now sat six years, was dissolved on the 14th of April.

The translation of the Bible in English designed

In the convocation, a motion was made of great consequence, that there should be a translation of the Bible in English, to be set up in all the churches of England. The clergy, when they procured Tindal's translation to be condemned, and suppressed it, gave out that they intended to make a translation into the vulgar tongue: yet it was afterwards, upon a long consultation, resolved, that it was free for the church to give the Bible in a vulgar tongue, or not, as they pleased; and that the King was not obliged to it, and that at that time it was not at all expedient to do it. Upon which those that promoted the Reformation made great complaints, and said it was visible the clergy knew there was an opposition between the Scriptures and their doctrine. That they had first condemned Wickliffe's translation, and then Tindal's; and though they ought to teach men the word of God, yet they did all they could to suppress it.

The reasons for it.

In the times of the Old Testament, the Scriptures were writ in the vulgar tongue, and all were charged to read and remember the law. The apostles wrote in Greek, which was then the most common language in the world. Christ did also appeal to the Scriptures, and sent the people to them. And by what St.

Paul says of Timothy, it appears, that children were then early trained up in that study. In the primitive church, as nations were converted to the faith, the Bible was translated into their tongue. The Latin translation was very ancient; the Bible was afterwards put into the Scythian, Dalmatian, and Gothic tongues. It continued thus for several ages, till the state of monkery rose; and then, when they engrossed the riches, and the popes assumed the dominion, of the world, it was not consistent with these designs, nor with the arts used to promote them, to let the Scriptures be much known: therefore legends and strange stories of visions, with other devices, were thought more proper for keeping up their credit, and carrying on their ends.

It was now generally desired, that if there were just exceptions against what Tindal had done, these might be amended in a new translation. This was a plausible thing, and wrought much on all that heard it; who plainly concluded, that those who denied the people the use of the Scriptures in their vulgar tongues, must needs know their own doctrine and practices to be inconsistent with it. Upon these grounds, Cranmer, who was projecting the most effectual means for promoting a reformation of doctrine, moved in convocation, that they should petition the King for leave to make a translation of the Bible. But Gardiner and all his party opposed it, both in convocation and in secret with the King. It was said, that all the heresies and extravagant opinions, which were then in Germany, and from thence coming over to England, sprang from the free use of the Scriptures. And whereas in May the last year, nineteen Hollanders were accused of some heretical opinions; "denying Christ to be both God and man, or that he took flesh and blood of the Virgin Mary, or that the sacraments had any effect on those that received them;" in which opinions fourteen of them remained obstinate, and were burnt by pairs in several places: it was complained, that all those drew their damnable errors from the indiscreet use of the Scriptures. And to

The opposition made to it.

offer the Bible in the English tongue to the whole nation, during these distractions, would prove, as they pretended, the greatest snare that could be. Therefore they proposed, there should be a short exposition of the most useful and necessary doctrines of the Christian faith given to the people in the English tongue, for the instruction of the nation, which would keep them in a certain subjection to the King and the church in matters of faith.

The other party, though they liked well the publishing such a treatise in the vulgar tongue, yet by no means thought that sufficient; but said, the people must be allowed to search the Scripture, by which they might be convinced that such treatises were according to it. These arguments prevailed with the two houses of convocation: so they petitioned the King, that he would give order to some to set about it. To this great opposition was made at court. Some, on the one hand, told the King, that a diversity of opinions would arise out of it; and that he could no more govern his subjects if he gave way to that. But, on the other hand, it was represented, that nothing would make his supremacy so acceptable to the nation, and make the Pope more hateful, than to let them see, that whereas the popes had governed them by a blind obedience, and kept them in darkness, the King brought them into the light, and gave them the free use of the word of God. And nothing would more effectually extirpate the Pope's authority, and discover the impostures of the monks, than the Bible in English; in which all people would clearly discern, there was no foundation for those things. These arguments, joined with the power that the Queen had in his affections, were so much considered by the King, that he gave order for setting about it immediately. To whom that work was committed, or how they proceeded in it, I know not. For the account of these things has not been preserved, nor conveyed to us, with that care that the importance of the thing required. Yet it appears that the work was carried on at a good rate: for three years after this

it was printed at Paris, which shews they made all convenient haste in a thing that required so much deliberation.

The fall of Queen Anne.

But this was the last public good act of this unfortunate Queen; who, the nearer she drew to her end, grew more full of good works. She had distributed, in the last nine months of her life, between fourteen and fifteen thousand pounds to the poor, and was designing great and public good things. And, by all appearance, if she had lived, the money that was raised by the suppression of religious houses had been better employed than it was. In January she brought forth a dead son. This was thought to have made ill impressions on the King; and that, as he concluded from the death of his sons by the former Queen that the marriage was displeasing to God, so he might, upon this misfortune, begin to make the like judgment of this marriage. Sure enough the popish party were earnestly set against the Queen, looking on her as the great supporter of heresy. And at that time, Fox, then bishop of Hereford, was in Germany, at Smalcald, treating a league with the Protestant princes, who insisted much on the Augsburg Confession. There were many conferences between Fox and Dr. Barnes, and some others, with the Lutheran divines, for accommodating the differences between them, and the thing was in a good forwardness. All which was imputed to the Queen. Gardiner was then ambassador in France, and wrote earnestly to the King, to dissuade him from entering into any religious league with these princes: for that would alienate all the world from him, and dispose his own subjects to rebel. The King thought the German princes and divines should have submitted all things to his judgment, and had such an opinion of his own learning, and was so puffed up with the flattering praises that he daily heard, that he grew impatient of any opposition, and thought that his dictates should pass for oracles. And because the Germans would not receive them so his mind was alienated from them.

The whole popish party drove it on

But the Duke of Norfolk, at court, and Gardiner

beyond sea, thought there might easily be found a mean to accommodate the King, both with the Emperor and the Pope, if the Queen were once out of the way; for then he might freely marry any one whom he pleased, and that marriage, with the male issue of it, could not be disputed: whereas, as long as the Queen lived, her marriage, as being judged null from the beginning, could never be allowed by the court of Rome, or any of that party. With these reasons of state, others of affection concurred. The Queen had been his wife three years; but at this time he entertained a secret love for Jane Seymour, who had all the charms both of beauty and youth in her person; and her humour was tempered, between the severe gravity of Queen Katherine, and the gay pleasantness of Queen Anne. The Queen, perceiving this alienation of the King's heart, used all possible arts to recover that affection, of whose decay she was sadly sensible. But the success was quite contrary to what she designed: for the King saw her no more with those eyes, which she had formerly captivated; but grew jealous, and ascribed those caresses to some other criminal affections, of which he began to suspect her. This being one of the most memorable passages of this reign, I was at more than ordinary pains to learn all I could concerning it, and have not only seen a great many letters that were writ, by those that were set about the Queen, and catched every thing that fell from her, and sent it to court, but have also seen an account of it, which the learned Spelman, who was a judge at that time, writ with his own hand in his common-place book; and another account of it writ by one Anthony Anthony, a surveyor of the ordnance of the Tower. From all which I shall give a just and faithful relation of it, without concealing the least circumstance that may either seem favourable or unfavourable to her.

The King's jealousy of her

She was of a very cheerful temper, which was not always limited within the bounds of exact decency and discretion. She had rallied some of the King's servants more than became her. Her brother, the

Lord Rochford, was her friend as well as brother; but his spiteful wife was jealous of him: and being a woman of no sort of virtue (as will appear afterwards by her serving Queen Katherine Howard in her beastly practices, for which she was attainted and executed), she carried many stories to the King, or some about him, to persuade, that there was a familiarity between the Queen and her brother, beyond what so near a relation could justify. All that could be said for it was only this; that he was once seen leaning upon her bed, which bred great suspicion. Henry Norris, that was groom of the stole, Weston and Brereton, that were of the King's privy-chamber, and one Mark Smeton, a musician, were all observed to have much of her favour. And their zeal in serving her, was thought too warm and diligent to flow from a less active principle than love. Many circumstances were brought to the King, which, working upon his aversion to the Queen, together with his affection to Mistress Seymour, made him conclude her guilty. Yet somewhat which himself observed, or fancied, at a tilting at Greenwich, is believed to have given a crisis to her ruin. It is said, that he spied her let her handkerchief fall to one of her gallants to wipe his face, being hot after a course. Whether she dropped it carelessly, or of design; or whether there be any truth in that story, the letters concerning her fall making no mention of it, I cannot determine; for Spelman makes no mention of it, and gives a very different account of the discovery in these words: "As for the evidence of this matter, it was discovered by the Lady Wingfield, who had been a servant to the Queen, and, becoming on a sudden infirm some time before her death, did swear this matter to one of her . . . . ." and here unluckily the rest of the page is torn off. By this it seems, there was no legal evidence against the Queen, and that it was but a witness at second hand, who deposed what they heard the Lady Wingfield swear. Who this person was we know not, nor in what temper of mind the Lady Wingfield might be when she swore

it. The safest sort of forgery, to one whose conscience can swallow it, is, to lay a thing on a dead person's name, where there is no fear of discovery before the great day: and when it was understood that the Queen had lost the King's heart, many, either out of their zeal to popery, or design to make their fortune, might be easily induced to carry a story of this nature. And this it seems was that which was brought to the King at Greenwich, who did thereupon immediately return to Whitehall, it being the 1st of May. The Queen was immediately restrained to her chamber; the other five were also seized on; but none of them would confess any thing but Mark Smeton, "as to any actual thing," so Cromwell writ. Upon this they were carried to the Tower. The poor Queen was in a sad condition; she must not only fall under the King's displeasure, but be both defamed and destroyed at once. At first she smiled and carried it cheerfully; and said, she believed the King did this only to prove her. But when she saw it was in earnest, she desired to have the sacrament in her closet, and expressed great devotion, and seemed to be prepared for death.

The letters about this. Cott. Lib. Otho C. 10.

The surprise and confusion she was in raised fits of the mother, which those about her did not seem to understand: but three or four letters which were writ by Sir William Kingston to Secretary Cromwell, concerning her, to court, say, that she was at some times very devout, and cried much; and of a sudden would burst out in laughter, which are evident signs of vapours. When she heard that those who were accused with her were sent to the Tower, she then concluded herself lost; and said, she should be sent thither next; and talked idly, saying, "that if her bishops were about the King, they would all speak for her." She also said, "that she would be a saint in heaven, for she had done many good deeds; and that there should be no rain, but heavy judgments on the land, for what they were now doing to her." Her enemies had now gone too far not to destroy her. Next day she was carried to the Tower, and some

lords, that met her on the river, declared to her what her offences were. Upon which she made deep protestations of her innocence, and begged leave to see the King; but that was not to be expected. When she was carried into the Tower, "she fell down on her knees, and prayed God to help her, as she was not guilty of the thing for which she was accused." That same day the King wrote to Cranmer, to come to Lambeth; but ordered him not to come into his presence: which was procured by the Queen's enemies, who took care, that one who had such credit with the King, should not come at him, till they had fully persuaded him that she was guilty. Her uncle's lady, the Lady Boleyn, was appointed to lie in the chamber with her, which she took very ill; for, upon what reason I know not, she had been in very ill terms with her. She engaged her into much discourse, and studied to draw confessions from her. Whatsoever she said was presently sent to the court. And a woman full of vapours was like enough to tell every thing that was true, with a great deal more; for persons in that condition, not only have no command of themselves, but are apt to say any thing that comes in their fancy.

She is put in the Tower, and pleads her innocency.

The Duke of Norfolk, and some of the King's council, were with her; but could draw nothing from her, though they made her believe that Norris and Mark had accused her. But when they were gone, she fell down on her knees and wept, and prayed often, "Jesu, have mercy on me;" and then fell a langhing: when that fit was over, she desired to have the sacrament still by her, that she might cry for mercy. And she said to the Lieutenant of the Tower, she was as clear of the company of all men, as to sin, as she was clear from him; and that she was the King's true wedded wife. And she cried out, "O Norris, hast thou accused me? thou art in the Tower with me, and thou and I shall die together; and Mark, so shalt thou too." She apprehended they were to put her in a dungeon; and sadly bemoaned her own, and her mother's misery; and asked them,

whether she must die without justice. But they told her, the poorest subjects had justice, much more would she have it. The same letter says, that Norris had not accused her; and that he said to her almoner, that he could swear for her, she was a good woman. But she being made believe that he had accused her, and not being then so free in her thoughts, as to consider that ordinary artifice for drawing out confessions, told all she knew, both of him and Mark. Which, though it was not enough to destroy her, yet certainly wrought much on the jealous and alienated King. She told him, "that she once asked Norris, why he did not go on with his marriage? who answered her, That he would yet tarry some time. To which she replied, You look for dead men's shoes; for if aught come to the King but good, you would look to have me. He answered, If he had any such thought, he would his head were cut off. Upon which she said, She could undo him if she pleased, and thereupon she fell out with him." As for Mark, who was then laid in irons, she said he was never in her chamber but when the King was last at Winchester; and then he came in to play on the virginals: she said, "that she never spoke to him after that, but on Saturday before May-day, when she saw him standing in the window, and then she asked him, Why he was so sad? he said, It was no matter: she answered, You may not look to have me speak to you, as if you were a nobleman, since you are an inferior person. No, no, madam, said he; a look sufficeth me." She seemed more apprehensive of Weston, than of any body. For on Whitsun-Monday last he said to her, "That Norris came more to her chamber upon her account, than for any body else that was there. She had observed, that he loved a kinswoman of her's, and challenged him for it, and for not loving his wife. But he answered her, That there were women in the house whom he loved better than them both: she asked, Who is that? Yourself, said he; upon which, she said, she defied him."

But confessed some indiscreet words.

This misery of the Queen's drew after it the com-

mon effects that follow persons under such a disgrace; for now all the court was against her, and every one was courting the rising Queen. But Cranmer had not learned these arts, and had a better soul in him than to be capable of such baseness and ingratitude. He had been much obliged by her, and had conceived a high opinion of her, and so could not easily receive ill impressions of her; yet he knew the King's temper, and that a downright justification of her would provoke him: therefore he wrote the following letter, on the 3d of May, with all the softness that so tender a point required; in which he justified her, as far as was consistent with prudence and charity. The letter shews of what a constitution he was that wrote it; and contains so many things that tend highly to her honour, that I shall insert it here, as I copied it from the original.

Cranmer's letter to the King about her. Cott. Lib Otho C. 10

"Pleaseth it your most noble Grace to be advertised, that at your Grace's commandment by Mr. Secretary's letters, written in your Grace's name, I came to Lambeth yesterday, and do there remain to know your Grace's farther pleasure. And forsomuch as, without your Grace's commandment, I dare not, contrary to the contents of the said letters, presume to come unto your Grace's presence; nevertheless, of my most bounden duty, I can do no less than most humbly to desire your Grace, by your great wisdom, and by the assistance of God's help, somewhat to suppress the deep sorrows of your Grace's heart, and to take all adversities of God's hands both patiently and thankfully,. I cannot deny but your Grace hath great causes many ways of lamentable heaviness: and also that, in the wrongful estimation of the world, your Grace's honour of every part is so highly touched (whether the things that commonly be spoken of be true or not), that I remember not that ever Almighty God sent unto your Grace any like occasion to try your Grace's constancy throughout, whether your Highness can be content to take of God's hand, as well things displeasant as pleasant. And if he find

in your most noble heart such an obedience unto his will, that your Grace without murmuration and overmuch heaviness, do accept all adversities, not less thanking him than when all things succeed after your Grace's will and pleasure, nor less procuring his glory and honour; then I suppose your Grace did never thing more acceptable unto him, since your first governance of this your realm. And moreover, your Grace shall give unto him occasion to multiply and increase his graces and benefits unto your Highness, as he did unto his most faithful servant Job; unto whom, after his great calamities and heaviness, for his obedient heart, and willing acceptation of God's scourge and rod, *addidit ei Dominus cuncta duplicia*. And if it be true, that is openly reported of the Queen's Grace, if men had a right estimation of things, they should not esteem any part of your Grace's honour to be touched thereby, but her honour only to be clearly disparaged. And I am in such a perplexity, that my mind is clean amazed: for I never had better opinion in woman than I had in her; which maketh me to think, that she should not be culpable. And again, I think your Highness would not have gone so far, except she had surely been culpable. Now I think that your Grace best knoweth, that, next unto your Grace, I was most bound unto her of all creatures living. Wherefore, I most humbly beseech your Grace, to suffer me in that, which both God's law, nature, and also her kindness bindeth me unto; that is, that I may with your Grace's favour, wish and pray for her, that she may declare herself inculpable and innocent. And if she be found culpable, considering your Grace's goodness towards her, and from what condition your Grace of your only mere goodness took her, and set the crown upon her head; I repute him not your Grace's faithful servant and subject, nor true unto the realm, that would not desire the offence without mercy to be punished, to the example of all other. And as I loved her not a little, for the love which I judged her to bear towards God and his gospel; so, if she be proved culpable, there is not one that loveth

God and his gospel that ever will favour her, but must hate her above all other; and the more they favour the gospel, the more they will hate her: for then there was never creature in our time that so much slandered the gospel. And God hath sent her this punishment, for that she feignedly hath professed his gospel in her mouth, and not in heart and deed. And though she have offended so, that she hath deserved never to be reconciled unto your Grace's favour; yet Almighty God hath manifoldly declared his goodness towards your Grace, and never offended you. But your Grace, I am sure, acknowledgeth that you have offended him. Wherefore, I trust that your Grace will bear no less entire favour unto the truth of the gospel than you did before: forsomuch as your Grace's favour to the gospel was not led by affection unto her, but by zeal unto the truth. And thus I beseech Almighty God, whose gospel he hath ordained your Grace to be defender of, ever to preserve your Grace from all evil, and give you at the end the promise of his gospel. From Lambeth, the 3d day of May.

"After I had written this letter unto your Grace, my Lord Chancellor, my Lord of Oxford, my Lord of Sussex, and my Lord Chamberlain of your Grace's house, sent for me to come unto the Star-Chamber; and there declared unto me such things as your Grace's pleasure was they should make me privy unto. For the which I am most bounden unto your Grace. And what communication we had together, I doubt not but they will make the true report thereof unto your Grace. I am exceedingly sorry that such faults can be proved by the Queen, as I heard of their relation. But I am, and ever shall be, your faithful subject.

"Your Grace's

"Humble subject and chaplain,

"T. CANTUARIENSIS."

But jealousy and the King's new affection had quite defaced all the remainders of esteem for his late beloved Queen. Yet the ministers continued prac-

tising, to get further evidence for the trial; which was not brought on till the 12th of May; and then Norris, Weston, Brereton, and Smeton were tried, by a commission of Oyer and Terminer, in Westminster Hall. They were twice indicted, and the indictments were found by two grand juries, in the counties of Kent and Middlesex: the crimes with which they were charged being said to be done in both these counties. Mark Smeton* confessed he had known the Queen carnally three times: the other three pleaded Not guilty; but the jury, upon the evidence formerly mentioned, found them all guilty; and judgment was given, that they should be drawn to the place of execution, and some of them to be hanged, others to be beheaded, and all to be quartered, as guilty of high treason. On the 15th of May, the Queen and her brother, the Lord Rochford (who was a peer, having been made a viscount when his father was created Earl of Wiltshire), were brought to be tried by their peers: the Duke of Norfolk being lord high steward for that occasion. With him sat the Duke of Suffolk, the Marquis of Exeter, the Earls of Arundel, Oxford, Northumberland, Westmoreland, Derby, Worcester, Rutland, Sussex, and Huntington; and the Lords Audley, Delaware, Montague, Morley, Dacres, Cobham, Maltravers, Powis, Mounteagle, Clinton, Sands, Windsor, Wentworth, Burgh, and Mordaunt; in all twenty-six.† Here the Queen

She is brought to a trial

* Smeton's confession is very doubtful, as to the extent and credit of it at least Lord *Herbert's* silence as to the fact itself, led Collier to question the latter. In the third volume of this History, more will be found upon the subject, and in *Soames's* History of the Reformation under Henry VIII., vol. ii. the different accounts are compared and ably discussed, Smeton's evidence being judged to have had, at all events, little weight, as to the actual guilt of the Queen.—N.

† There is much to be attended to in this account of the Queen's trial Burnet, following Heylin, had not hesitated to write, that the Queen's own father, and father of the Lord Rochford, the Earl of Wiltshire, was one of the peers who sat in judgment upon them. Burnet had not then seen the record of the Queen's trial, but having afterwards obtained a sight of it, he was glad to find this was not the fact, but that Heylin had heedlessly copied it from *Sanders (lying* Sanders as it is quite common to call him) Burnet corrected himself in a paper in his *addenda* to this volume, by which the present text was amended in a former edition Dr Lingard, in his recent History of England, having evinced a strong disposition to credit Sanders, supposing, and even asserting, that the records of the Queen's trial, &c had perished, should have known, that Burnet had seen them, and knew how much they

of England, by an unheard-of precedent, was brought to the bar and indicted of high treason. The crimes charged on her were, "That she had procured her brother and the other four to lie with her, which they had done often; that she had said to every one of them by themselves, that she loved them better than any person whatsoever: which was to the slander of the issue that was begotten between the King and her." And this was treason, according to the statute made in the twenty-sixth year of this reign (so that the law that was made for her, and the issue of her marriage, is now made use of to destroy her). It was also added in the indictment, that she and her accomplices had conspired the King's death; but this it seems was only put in to swell the charge; for if there had been any evidence for it, there was no need of stretching the other statute; or if they could have proved the violating of the Queen, the known statute of the twenty-fifth year of the reign of Edward III. had been sufficient. When the indictment was read, she held up her hand and pleaded Not guilty, and so did her brother; and did answer the evidence was brought against her discreetly. One thing is remarkable, that Mark Smeton, who was the only person that confessed any thing, was never confronted with the Queen, nor was kept to be an evidence against her; for he had received his sentence three days before, and so could be no witness in law: but perhaps, though he was wrought on to confess, yet they did not think that he had confidence enough to aver it to the Queen's face; therefore the evidence they brought, as Spelman says, was the oath of a woman that was dead; yet this, or rather the terror of offending the King, so wrought on the Lords, that

contradicted Sanders. In Hargrave's State Trials, the records on which Burnet relied, are stated to have been a common-place book of Judge Spelman, and an account of the trial by A. Anthony, a surveyor of the ordnance of the Tower. From some of the Harleian MSS. since examined by Mr. Turner (Mod. Hist. Henry VIII.), there would still appear to be some doubt upon the point. That the Earl of Wiltshire was named in the commission of *investigation*, cited by Mr. Turner, there can be no question, but Burnet undoubtedly was convinced by the papers he saw, that he did not sit as one of the judges. Her own father's *conviction* therefore of her *guilt*, often insisted upon by writers on the other side, is not so well proved as has been pretended.—N

they found her and her brother guilty: and judgment was given—that she should be burnt or beheaded, at the King's pleasure. Upon which Spelman observes, that whereas burning is the death which the law appoints for a woman that is attainted of treason, yet, since she had been Queen of England, they left it to the King to determine, whether she should die so infamous a death, or be beheaded; but the judges complained of this way of proceeding, and said, such a disjunctive in a judgment of treason had never been seen. The Lord Rochford was also condemned to be beheaded and quartered. Yet all this did not satisfy the enraged King; but the marriage between him and her must be annulled, and the issue illegitimated. The King remembered an intrigue that had been between her and the Earl of Northumberland, which was mentioned in the former Book; and that he, then Lord Percy, had said to the Cardinal, "That he had gone so far before witnesses, that it lay upon his conscience, so that he could not go back:" this, it is like, might be some promise he made to marry her, *per verba de futuro*, which, though it was no pre-contract in itself, yet it seems the poor Queen was either so ignorant, or so ill-advised, as to be persuaded afterwards it was one; though it is certain that nothing but a contract, *per verba de præsenti*, could be of any force to annul the subsequent marriage. The King and his council, reflecting upon what it seems the Cardinal had told him, resolved to try what could be made of it, and pressed the Earl of Northumberland to confess a contract between him and her. But he took his oath before the two Archbishops, that there was no contract nor promise of marriage ever between them; and received the sacrament upon it, before the Duke of Norfolk and others of the King's learned council in the law spiritual, wishing it might be to his damnation if there was any such thing (concerning which I have seen the original declaration under his own hand). Nor could they draw any confession from the Queen before the sentence, for certainly if they

could have done that, the divorce had gone before the trial; and then she must have been tried only as Marchioness of Pembroke. But now, she lying under so terrible a sentence, it is most probable that either some hopes of life were given her, or at least she was wrought on by the assurances of mitigating that cruel part of her judgment of being burnt, into the milder part of the sentence, of having her head cut off; so that she confessed a pre-contract, and, on the 17th of May, was brought to Lambeth; and in court, the afflicted Archbishop sitting judge, some persons of quality being present, she confessed some just and lawful impediments: by which it was evident, that her marriage with the King was not valid. Upon which confession, the marriage between the King and her was judged to have been null and void. The record of the sentence is burnt; but these particulars are repeated in the act that passed in the next parliament, touching the succession to the crown. It seems this was secretly done, for Spelman writes of it thus: It was said, there was a divorce made between the King and her, upon her confessing a pre-contract with another before her marriage with the King: so that it was then only talked of, but not generally known.

Upon an extorted confession is divorced.

The two sentences that were passed upon the Queen, the one of attainder for adultery, the other of divorce because of a pre-contract, did so contradict one another, that it was apparent one, if not both of them, must be unjust; for if the marriage between the King and her was null from the beginning, then, since she was not the King's wedded wife, there could be no adultery: and her marriage to the King was either a true marriage or not: if it was true, then the annulling of it was unjust; and if it was no true marriage, then the attainder was unjust; for there could be no breach of that faith which was never given: so that it is plain, the King was resolved to be rid of her, and to illegitimate her daughter, and in that transport of his fury, did not consider that the very method he took discovered the injustice of

his proceedings against her. Two days after this, she was ordered to be executed in the green on Tower-hill. How she received these tidings, and how steadfast she continued in the protestations of her innocence, will best appear by the following circumstances:—The day before she suffered, upon a strict search of her past life, she called to mind, that she had played the step-mother too severely to Lady Mary, and had done her many injuries. Upon which, she made the Lieutenant of the Tower's lady sit down in the chair of state: which the other, after some ceremony, doing, she fell down on her knees, and with many tears, charged the lady, as she would answer it to God, to go in her name, and do as she had done, to the Lady Mary, and ask her forgiveness for the wrongs she had done her. And she said, she had no quiet in her conscience till she had done that. But though she did in this what became a Christian, the Lady Mary could not so easily pardon these injuries; but retained the resentments of them her whole life. Her preparation for death.

This ingenuity and tenderness of conscience about lesser matters, is a great presumption, that if she had been guilty of more eminent faults, she had not continued to the last denying them, and making protestations of her innocency. For that same night she sent her last message to the King, and acknowledged herself much obliged to him, that had continued still to advance her. She said, he had, from a private gentlewoman, first made her a marchioness, and then a queen; and now, since he could raise her no higher, was sending her to be a saint in heaven: she protested her innocence, and recommended her daughter to his care. And her carriage that day she died, will appear from the following letter, writ by the Lieutenant of the Tower, copied from the original, which I insert, because the copier employed by the Lord Herbert has not writ it out faithfully; for I cannot think that any part of it was left out on design.

The Lieutenant of the Tower's letter

"Sir, These shall be to advertise you, I have received your letter, wherein you would have strangers

conveyed out of the Tower: and so they be by the means of Richard Gressum, and William Locke, and Wythspoll. But the number of strangers passed not thirty, and not many hothe; and the Ambassador of the Emperor had a servant there, and honestly put out. Sir, if we have not an hour certain, as it may be known in London, I think here will be but few, and I think a reasonable number were best; for I suppose she will declare herself to be a good woman, for all men but for the King, at the hour of her death. For this morning she sent for me, that I might be with her at such time as she received the good Lord, to the intent I should hear her speak as touching her innocency alway to be clear. And in the writing of this, she sent for me, and at my coming she said: Mr. Kingston, I hear say I shall not die aforenoon, and I am very sorry therefore, for I thought to be dead by this time, and past my pain. I told her, it should be no pain, it was so sottle. And then she said, I heard say the executioner was very good, and I have a little neck; and put her hands about it, laughing heartily. I have seen many men, and also women executed; and that they have been in great sorrow, and to my knowledge this lady has much joy and pleasure in death. Sir, her almoner is continually with her, and had been since two a clock after midnight. This is the effect of any thing that is here at this time, and thus fare you well.

"Your's,

"WILLIAM KINGSTON."

1536 Her ex- A little before noon, being the 19th of May, she was brought to the scaffold, where she made a short speech to a great company that came to look on the last scene of this fatal tragedy; the chief of whom were the Dukes of Suffolk and Richmond, the Lord Chancellor, and Secretary Cromwell, with the Lord Mayor, the Sheriffs, and Aldermen of London. She said, "she was come to die, as she was judged by the law; she would accuse none, nor say any thing of the ground upon which she was judged. She prayed heartily for the King, and called him a most merciful

and gentle prince, and that he had been always to her a good, gentle, sovereign lord: and if any would meddle with her cause, she required them to judge the best. And so she took her leave of them, and of the world; and heartily desired they would pray for her." After she had been some time in her devotions, her last words being, "To Christ I commend my soul," her head was cut off by the hangman of Calais, who was brought over as more expert at beheading than any in England: her eyes and lips were observed to move after her head was cut off, as Spelman writes; but her body was thrown into a common chest of elm-tree that was made to put arrows in, and was buried in the chapel within the Tower before twelve o'clock. Her brother, with the other four, did also suffer; none of them were quartered, but they were all beheaded except Smeton, who was hanged. It was generally said, that he was corrupted into that confession, and had his life promised him; but it was not fit to let him live to tell tales. Norris had been much in the King's favour, and an offer was made him of his life if he would confess his guilt, and accuse the Queen. But he generously rejected that unhandsome proposition, and said, "That in his conscience he thought her innocent of these things laid to her charge; but whether she was or not, he would not accuse her of any thing, and he would die a thousand times, rather than ruin an innocent person."

The several censures that were then passed on those proceedings

These proceedings occasioned as great variety of censures, as there were diversity of interests. The popish party said, the justice of God was visible, that she who had supplanted Queen Katherine met with the like, and harder measure, by the same means. Some took notice of her faint justifying herself on the scaffold, as if her conscience had then prevailed so far, that she could no longer deny a thing for which she was so soon to answer at another tribunal. But others thought her care of her daughter made her speak so tenderly; for she had observed, that Queen Katherine's obstinacy had drawn the King's indignation on her daughter; and therefore, that she alone

might bear her misfortunes, and derive no share of them on her daughter, she spoke in a style that could give the King no just offence; and as she said enough to justify herself, so she said as much for the King's honour as could be expected. Yet, in a letter that she wrote to the King from the Tower, (which will be found in the Collection,) she pleaded her innocence, in a strain of so much wit and moving passionate eloquence, as perhaps can scarce be paralleled. certainly her spirits were much exalted when she wrote it, for it is a pitch above her ordinary style. Yet the copy I take it from, lying among Cromwell's other papers, makes me believe it was truly written by her.

Collect. Numb. 4

Her carriage seemed too free, and all people thought that some freedoms and levities in her had encouraged those unfortunate persons to speak such bold things to her; since few attempt upon the chastity, or make declarations of love, to persons of so exalted a quality, except they see some invitations, at least in their carriage. Others thought that a free and jovial temper might, with great innocence, though with no discretion, lead one to all those things that were proved against her; and therefore they concluded her chaste, though indiscreet. Others blamed the King, and taxed his cruelty in proceeding so severely against a person whose chastity he had reason to be assured of, since she had resisted his addresses near five years, till he legitimated them by marriage.* But others excused him. It is certain her carriage had given just cause of some jealousy, and that being the rage of a man, it was no wonder if a king of his temper, conceiving it against one whom he had so signally obliged, was transported into unjustifiable excesses.

* André Thevet, a French Franciscan, who wrote some years after this an Universal Cosmography, says, lib. 16 c. 5, that he was assured, by divers English gentlemen, that King Henry at his death, among his other sins, repented in particular of the wrong he had done the Queen, in destroying her by a false accusation And though Thuanus makes him an author of no credit, yet there is no reason to suspect him in this particular, for writers seldom lie against their interest, and the Franciscan order had suffered so much for their adhering to Queen Katherine's interests, in opposition to Anne Boleyn, that it is not likely one of that order would have strained a point to tell an honourable story of her. This was made use of in Queen Elizabeth's time, to vindicate her memory. See *Saravia Tract. cont. Bezam.* c. 2. versus finem.

Others condemned Cranmer, as a man that obsequiously followed all the King's appetites; and that he had now divorced the King a second time, which shewed that his conscience was governed by the King's pleasure as his supreme law. But what he did was unavoidable. for, whatever motives drew from her the confession of that pre-contract, he was obliged to give sentence upon it: and that which she confessed, being such as made her incapable to contract marriage with the King, he could not decline the giving of sentence upon so formal a confession. Some loaded all that favoured the Reformation: and said—it now appeared what a woman their great patroness and supporter had been. But to those it was answered—that her faults, if true, being secret, could cast no reflection on those, who, being ignorant of them, made use of her protection. And the church of Rome thought not their cause suffered by the enraged cruelty and ambition of the cursed Irene, who had convened the second council of Nice, and set up the worship of images again in the East; whom the popes continued to court and magnify, after her barbarous murder of her son, with other acts of unsatiated spite and ambition. Therefore they had no reason to think the worse of persons for claiming the protection of a Queen, whose faults (if she was at all criminal) were unknown to them when they made use of her.

Some have, since that time, concluded it a great evidence of her guilt, that, during her daughter's long and glorious reign, there was no full nor complete vindication of her published. For the writers of that time thought it enough to speak honourably of her; and in general, to call her innocent: but none of them ever attempted a clear discussion of the particulars laid to her charge. This had been much to her daughter's honour; and, therefore, since it was not done, others concluded it could not be done; and that their knowledge of her guilt restrained their pens. But others do not at all allow of that inference, and think rather, that it was the great wisdom of that time not to suffer such things to be called in question;

since no wise government will admit of a debate about the clearness of the prince's title. For the very attempting to prove it, weakens it more than any of the proofs that are brought can confirm it; therefore it was prudently done of that Queen, and her great ministers, never to suffer any vindication, or apology, to be written. Some indiscretions could not be denied, and these would all have been catched hold of, and improved by the busy emissaries of Rome and Spain.

But nothing did more evidently discover the secret cause of this Queen's ruin, than the King's marrying Jane Seymour the day after her execution. She, of all King Henry's wives, gained most on his esteem and affection: but she was happy in one thing—that she did not outlive his love; otherwise she might have fallen as signally as her predecessor had done. Upon this turn of affairs a great change of counsels followed.

The Lady Mary endeavours a reconciliation with her father.

There was nothing now that kept the Emperor and the King at a distance, but the illegitimation of the Lady Mary; and if that matter had been adjusted, the King was in no more hazard of trouble from him: therefore it was proposed, that she might be again restored to the King's favour. She found this was the best opportunity she could ever look for, and therefore laid hold on it, and wrote an humble submission to the King, and desired again to be admitted to his presence. But her submissions had some reserves in them; therefore she was pressed to be more express in her acknowledgments. At this she stuck long, and had almost embroiled herself again with her father. She freely offered to submit to the laws of the land about the succession, and confessed the fault of her former obstinacy. But the King would have her acknowledge, that his marriage to her mother was incestuous and unlawful; and to renounce the Pope's authority, and to accept him as supreme head of the church of England. These things were of hard digestion with her, and she could not easily swallow them; so she wrote to Cromwell, to befriend her at the King's hands. Upon which many letters passed between them. He wrote to her, that it was impos-

sible to recover her father's favour, without a full and clear submission in all points. So in the end she yielded; and sent the following paper, all written with her own hand, which is set down as it was copied from the original, yet extant.

"The confession of me, the Lady Mary, made upon certain points and articles under-written; in the which, as I do now plainly, and with all mine heart, confess and declare my inward sentence, belief, and judgment, with a due conformity of obedience to the laws of the realm; so, minding for ever to persist and continue in this determination, without change, alteration, or variance, I do most humbly beseech the King's Highness, my father, whom I have obstinately and inobediently offended in the denial of the same heretofore, to forgive mine offences therein, and to take me to his most gracious mercy.

Her submission under her own hand. Cott Lib Otho C 10

"First, I confess and knowledge the King's Majesty to be my sovereign Lord and King, in the imperial crown of this realm of England; and to submit myself to his Highness, and to all and singular laws and statutes of this realm, as becometh a true and faithful subject to do; which I shall also obey, keep, observe, advance, and maintain, according to my bounden duty, with all the power, force, and qualities, that God hath endued me with, during my life.

"Item, I do recognize, accept, take, repute, and knowledge, the King's Highness to be *supreme head in earth under Christ of the church of England;* and do utterly refuse the Bishop of Rome's pretended authority, power, and jurisdiction within this realm heretofore usurped, according to the laws and statutes made in that behalf, and of all the King's true subjects humbly received, admitted, obeyed, kept, and observed; and also do utterly renounce and forsake all manner of remedy, interest, and advantage, which I may by any means claim by the Bishop of Rome's laws, process, jurisdiction, or sentence, at this present time, or in anywise hereafter, by any manner of title, colour, mean, or case, that is, shall, or can be devised for that purpose. "MARY.

"Item, I do freely, frankly, and for the discharge of my duty towards God, the King's Highness, and his laws, without other respect, recognize and knowledge, that the marriage heretofore had between his Majesty, and my mother, the late Princess Dowager, was by God's law, and man's law, incestuous and unlawful. "MARY."

She is restored to his favour

Upon this she was again received into favour. One circumstance I shall add, that shews the frugality of that time. In the establishment that was made for her family, there was only 40*l.* a quarter assigned for her privy-purse. I have seen a letter of her's to Cromwell, at the Christmas-quarter, desiring him to let the King know, that she must be at some extraordinary expense that season, that so he might increase her allowance, since the 40*l.* would not defray the charge of that quarter.

The Lady Elizabeth well used by the King and Queen

For the Lady Elizabeth, though the King divested her of the title of Princess of Wales, yet he continued still to breed her up in the court, with all the care and tenderness of a father. And the new Queen, what from the sweetness of her disposition, and what out of compliance with the King, who loved her much, was as kind to her as if she had been her mother. Of which I shall add one pretty evidence, though the childishness of it may be thought below the gravity of a history; yet by it the reader will see both the kindness that the King and Queen had for her, and that they allowed her to subscribe, daughter. There are two original letters of her's yet remaining, writ to the Queen when she was with child of King Edward: the one in Italian, the other in English; both writ in a fair hand, the same that she wrote all the rest of her life. But the conceits in that writ in English are so pretty, that it will not be unacceptable to the reader to see this first blossom of so great a Princess, when she was not full four years of age; she being born in September 1533, and this writ in July 1537.

"Although your Highness' letters be most joyful to me in absence, yet considering what pain it is to you to write, your Grace being so great with child, and so sickly, your commendation were enough in my Lord's letter I much rejoice at your health, with the well liking of the country; with my humble thanks that your Grace wished me with you till I were weary of that country. Your Highness were like to be cumbered, if I should not depart till I were weary being with you; although it were in the worst soil in the world, your presence would make it pleasant. I cannot reprove my Lord for not doing your commendations in his letter, for he did it; and although he had not, yet I will not complain of him, for that he shall be diligent to give me knowledge from time to time, how his busy child doth; and if I were at his birth, no doubt I would see him beaten, for the trouble he has put you to. Mr. Denny and my Lady, with humble thanks prayeth most entirely for your Grace, praying the Almighty God to send you a most lucky deliverance. And my mistress wisheth no less, giving your Highness most humble thanks for her commendations. Writ with very little leisure, this last day of July.

"Your humble daughter,

"ELIZABETH."

Her letter to the Queen when not four years of age.

But to proceed to more serious matters. A parliament was summoned to meet the 8th of June. If full forty days be necessary for a summons, then the writs must have been issued forth the day before the late Queen's disgrace; so that it was designed before the justs at Greenwich, and did not flow from any thing that then appeared. When the parliament met, the Lord Chancellor Audley, in his speech, told them, "That when the former parliament was dissolved, the King had no thoughts of summoning a new one so soon. But for two reasons, he had now called them. The one was, that he, finding himself subject to so many infirmities, and considering that he was mortal, (a rare thought in a prince,) he desired to settle an

A new parliament called

Journal Procerum.

apparent heir to the crown, in case he should die without children lawfully begotten. The other was, to repeal an act of the former parliament, concerning the succession of the crown to the issue of the King by Queen Anne Boleyn. He desired them to reflect on the great troubles and vexation the King was involved in by his first unlawful marriage, and the dangers he was in by his second; which might well have frighted any body from a third marriage. But Anne, and her conspirators, being put to death, as they well deserved; the King, at the humble request of the nobility, and not out of any carnal concupiscence, was pleased to marry again a Queen, by whom there were very probable hopes of his having children: therefore he recommended to them, to provide an heir to the crown by the King's direction, who, if the King died without children lawfully begotten, might rule over them. He desired they would pray God earnestly, that he would grant the King issue of his own body; and return thanks to Almighty God, that preserved such a King to them out of so many imminent dangers, who employed all his care and endeavours, that he might keep his whole people in quiet, peace, and perfect charity, and leave them so to those that should succeed him."

The act of succession.

But though this was the chief cause of calling the parliament, it seems the ministers met with great difficulties, and therefore spent much time in preparing men's minds. For the bill about the succession to the crown was not brought into the House of Lords before the 30th day of June, that the Lord Chancellor offered it to the House. It went through both Houses without any opposition. It contained first, "A repeal of the former act of succession, and a confirmation of the two sentences of divorce, the issue of both the King's former marriages being declared illegitimate, and for ever excluded from claiming the inheritance of the crown, as the King's lawful heirs by lineal descent. The attainder of Queen Anne and her complices is confirmed. Queen Anne is said to have been inflamed with pride, and carnal desires of

her body; and having confederated herself with her complices, to have committed divers treasons, to the danger of the King's royal person; with other aggravating words, for which she had justly suffered death, and is now attainted by act of parliament. And all things that had been said or done against her, or her daughter, being contrary to an act of parliament then in force, are pardoned; and the inheritance of the crown is established on the issue of Queen Jane, whether male or female, or the King's issue by any other wife whom he might marry afterwards.

"But since it was not fit to declare to whom the succession of the crown belonged after the King's death, lest the person, so designed, might be thereby enabled to raise trouble and commotions; therefore they, considering the King's wise and excellent government, and confiding in the love and affection which he bore to his subjects, did give him full power to declare the succession to the crown, either by his letters-patents under the great seal, or by his last will, signed with his hand; and promised all faithful obedience to the persons named by him. And if any, so designed to succeed in default of others, should endeavour to usurp upon those before them, or to exclude them, they are declared traitors, and were to forfeit all the right they might thereafter claim to the crown. And if any should maintain the lawfulness of the former marriages, or that the issue by them was legitimate, or refused to swear to the King's issue by Queen Jane, they were also declared traitors."

By this act it may appear how absolutely this King reigned in England. Many questioned much the validity of it, and (as shall afterwards appear) the Scots said, that the succession to the crown was not within the parliament's power to determine about it, but must go by inheritance to their King, in default of issue by this King. Yet by this the King was enabled to settle the crown on his children, whom he had now declared illegitimate, by which he brought them more absolutely to depend upon himself. He neither made them desperate, nor gave

them any further right than what they were to derive purely from his own good pleasure. This did also much pacify the Emperor, since his kinswoman was, though not restored in blood, yet put in a capacity to succeed to the crown.

The Pope endeavoured a reconciliation with the King

At this time there came a new proposition from Rome, to try if the King would accommodate matters with the Pope. Pope Clement the Seventh died two years before this, in the year 1534, and Cardinal Farnese succeeded him, called Pope Paul the Third. He had before this made one unsuccessful attempt upon the King; but, upon the beheading of the Bishop (and declared Cardinal) of Rochester, he had thundered a most terrible sentence of deposition against the King, and designed to commit the execution of it to the Emperor: yet now, when Queen Katherine and Queen Anne, who were the occasions of the rupture, were both out of the way, he thought it was a proper conjuncture to try if a reconciliation could be effected. This he proposed to Sir Gregory Cassali, who was no more the King's ambassador at Rome, but was still his correspondent there. The Pope desired he would move the King in it, and let him know that he had ever favoured his cause in the former Pope's time, and though he was forced to give out a sentence against him, yet he had never any intention to proceed upon it to further extremities.

But in vain.

But the King was now so entirely alienated from the court of Rome, that, to cut off all hopes of reconciliation, he procured two acts to be passed in this parliament. The one was for the utter extinguishing the authority of the Bishop of Rome. It was brought into the House of Lords on the 4th of July; and was read the first time the 5th, and the second time on the 6th of July, and lay at the committee till the 12th. And on the 14th it was sent down to the Commons, who, if there be no mistake in the Journal, sent it up that same day: they certainly made great haste, for the parliament was dissolved within four days.

"The preamble of this first act contains severe reflections on the Bishop of Rome (whom some called

the Pope), who had long darkened God's word, that it might serve his pomp, glory, avarice, ambition, and tyranny; both upon the souls, bodies, and goods of all Christians; excluding Christ out of the rule of man's soul, and princes out of their dominions; and had exacted in England great sums, by dreams, and vanities, and other superstitious ways. Upon these reasons, his usurpations had been by law put down in this nation; yet many of his emissaries were still practising up and down the kingdom, and persuading people to acknowledge his pretended authority. Therefore every person so offending after the last of July next to come, was to incur the pains of a premunire; and all officers, both civil and ecclesiastical, were commanded to make inquiry about such offences, under several penalties."

On the 12th of July, a bill was brought in, concerning privileges obtained from the see of Rome, and was read the first time. And on the 17th it was agreed to, and sent down to the Commons, who sent it up again the next day. It bears, that the popes had, during their usurpation, "granted many immunities to several bodies and societies in England, which upon that grant had been now long in use: therefore all these bulls, breves, and every thing depending on, or flowing from them, were declared void and of no force. Yet all marriages celebrated by virtue of them, that were not otherwise contrary to the law of God, were declared good in law; and all consecrations of bishops, by virtue of them, were confirmed. And for the future, all who enjoyed any privileges by bulls, were to bring them into the Chancery, or to such persons as the King should appoint for that end. And the Archbishop of Canterbury was lawfully to grant anew the effects contained in them, which grant was to pass under the great seal, and to be of full force in law."

This struck at the abbots' rights. But they were glad to bear a diminution of their greatness, so they might save the whole, which now lay at stake. By the thirteenth act, they corrected an abuse which had

come in to evade the force of a statute made in the twenty-first year of this king, about the residence of all ecclesiastical persons in their livings. One qualification that did excuse from residence, was their staying at the university for the completing of their studies. Now it was found that many dissolute clergymen went and lived at the universities, not for their studies, but to be excused from serving their cures. So it was enacted, that none above the age of forty, that were not either heads of houses, or public readers, should have any exemption from their residence, by virtue of that clause in the former act. And those under that age should not have the benefit of it, except they were present at the lectures, and performed their exercises in the schools.

By another act, there was provision made against the prejudice the King's heirs might receive, before they were of age, by parliaments held in their nonage; that whatsoever acts were made before they were twenty-four years of age, they might, at any time of their lives after that, repeal and annul, by their letters-patents, which should have an equal force with a repeal by act of parliament. From these acts it appears, that the King was absolute master, both of the affections and fears of his subjects; when, in a new parliament called on a sudden, and in a session of six weeks, from the 8th of June to the 18th of July, acts of this importance were passed without any protest or public opposition.

The proceedings in the convocation

But, having now opened the business of the parliament, as it relates to the state, I must next give an account of the convocation, which sat at this time, and was very busy, as appears by the Journals of the House of Lords; in which this is given for a reason of many adjournments, because the spiritual lords were busy in the convocation It sat down on the 9th of June, according to Fuller's extract; it being the custom of all this reign, for that court to meet two or three days after the parliament. Hither Cromwell came as the King's vicar-general; but he was not yet vicegerent. For he sat next the Arch

bishop; but when he had that dignity, he sat above him. Nor do I find him styled in any writing vicegerent for some time after this; though the Lord Herbert says, he was made vicegerent the 18th of July this year, the same day in which the parliament was dissolved.*

Latimer, bishop of Worcester, preached the Latin sermon, on these words: "The children of this world are wiser in their generation than the children of light." He was the most celebrated preacher of that time. The simplicity and plainness of his matter, with a serious and fervent action that accompanied it, being preferred to more learned and elaborate composures. On the 21st of June, Cromwell moved, that they would confirm the sentence of the invalidity of the King's marriage with Queen Anne, which was accordingly done by both houses of Convocation. But certainly Fuller was asleep when he wrote, "That, ten days before that, the Archbishop had passed the sentence of divorce, on the day before the Queen was beheaded." Whereas, if he had considered this more fully, he must have seen that the Queen was put to death a month before this, and was divorced two days before she died. Yet, with this animadversion, I must give him my thanks for his pains in copying out of the Journals of Convocation many remarkable things, which had been otherwise irrecoverably lost.

On the 23d of June, the lower house of Convocation sent to the upper house a collection of many opinions, that were then in the realm; which, as they thought, were abuses, and errors, worthy of special reformation. But they began this representation with a protestation: "That they intended not to do, or speak, any thing which might be unpleasant to the King; whom they acknowledged their supreme head, and were resolved to obey his commands, renouncing the Pope's usurped authority, with all his laws and Fuller.

* These titles, however, seem to have been used promiscuously. In Fuller's History of Cambridge, Cromwell is styled Vicegerent in the year 1535, and in a writ of summons, 1539 (in Dugdale), he is styled "*Vicarus Generalis*"—See, however, Mr. Lewis's remarks referred to before, p. 293.

inventions, now extinguished and abolished; and did addict themselves to Almighty God, and his laws, and unto the King, and the laws made within this kingdom."

There are sixty-seven opinions set down, and are either the tenets of the old Lollards, or the new reformers, together with the Anabaptists' opinions. Besides all which, they complained of many unsavoury and indiscreet expressions, which were either feigned on design to disgrace the new preachers, or were perhaps the extravagant reflections of some illiterate and injudicious persons; who are apt, upon all occasions, by their heat and folly, rather to prejudice than advance their party; and affect some petulant jeers, which they think witty, and are perhaps well entertained by some others, who, though they are more judicious themselves, yet, imagining that such jests on the contrary opinions will take with the people, do give them too much encouragement. Many of these jests, about confession, praying to saints, holy-water, and the other ceremonies of the church, were complained of. And the last articles contained sharp reflections on some of the bishops, as if they had been wanting in their duty to suppress such things. This was clearly levelled at Cranmer, Latimer, and Shaxton, who were noted as the great promoters of these opinions. The first did it prudently and solidly: the second zealously and simply: and the third with much indiscreet pride and vanity. But now that the Queen was gone, who had either raised or supported them, their enemies hoped to have advantages against them, and to lay the growth of these opinions to their charge. But this whole project failed, and Cranmer had as much of the King's favour as ever; for instead of that which they had projected, Cromwell, by the King's order, coming to the convocation, declared to them, that it was the King's pleasure, that the rites and ceremonies of the church should be reformed by the rules of Scripture, and that nothing was to be maintained which did not rest on that authority; for it was absurd, since that was acknowledged to contain the laws of religion, that re

course should rather be had to glosses, or the decrees of popes, than to these. There was at that time one Alexander Alesse, a Scotchman, much esteemed for his learning and piety, whom Cranmer entertained at Lambeth. Him Cromwell brought with him to the Convocation,* and desired him to deliver his opinion about the sacraments. He enlarged himself much to convince them, that only baptism and the Lord's supper were instituted by Christ. Antiq Brit in vita Cranmer

Stokesley, bishop of London, answered him, in a long discourse, in which he shewed he was better acquainted with the learning of the schools, and the canon law, than with the gospel; he was seconded by the Archbishop of York, and others of that party.

But Cranmer, in a long and learned speech, shewed how useless these niceties of the schools were, and of how little authority they ought to be; and discoursed largely of the authority of the Scriptures, of the use of the sacraments, of the uncertainty of tradition, and of the corruption which the monks and friars had brought into the Christian doctrine. He was vigorously seconded by the Bishop of Hereford, who told them, the world would be no longer deceived with such sophisticated stuff as the clergy had formerly vented: the laity were now in all nations studying the Scriptures, and that, not only in the vulgar translations, but in the original tongues; and therefore it was a vain imagination to think they would be any longer governed by those arts which, in the former ages of ignorance, had been so effectual. Not many days after this, there were several articles brought in to the upper house of Convocation, devised by the King himself, about which there were great debates among them; the two Archbishops heading two parties: Cranmer was for a reformation, and with him joined

* An account of this conference was published by Alesse in Latin, and translated into English by Edm. Alen. He was sent for into England by the Lord Cromwell, sent to Cambridge, driven thence, withdrew to London, where he studied and practised physic for several years, met by chance with the Lord Cromwell, who took him with him to Westminster, where he found all the bishops gathered together, unto whom they all rose up and did obedience, as to their vicar-general, and he sat him down in the highest place then follows an account of the debate, and how the bishops were divided. He places this meeting in the year 1537.

Thomas Goodrich, bishop of Ely; Shaxton, of Sarum; Latimer, of Worcester; Fox, of Hereford; Hilsey, of Rochester; and Barlow, of St. David's.

But Lee, archbishop of York, was a known favourer of the Pope's interests; which, as it first appeared in his scrupling so much, with the whole convocation of York, the acknowledging the King to be the supreme head of the church of England; so he had since discovered it on all occasions, in which he durst do it without the fear of losing the King's favour: so he, and Stokesley, bishop of London; Tonstal, of Duresme; Gardiner, of Winchester; Longland, of Lincoln; Sherburn, of Chichester; Nix, of Norwich; and Kite, of Carlisle: had been still against all changes. But the King discovered, that those did in their hearts love the papal authority, though Gardiner dissembled it most artificially. Sherburn, bishop of Chichester, upon what inducement I cannot understand, resigned his bishoprick, which was given to Richard Sampson, dean of the chapel; a pension of 400*l.* being reserved to Sherburn for his life, which was confirmed by an act of this parliament. Nix, of Norwich, had also offended the King signally, by some correspondence with Rome, and was kept long in the Marshalsea, and was convicted and found in a *præmunire:* the King, considering his great age, had upon his humble submission discharged him out of prison, and pardoned him. But he died the former year; though Fuller, in his slight way, makes him sit in this convocation: for by the seventeenth act of the last parliament, it appears that the bishoprick of Norwich being vacant, the King had recommended William Abbot of St. Bennet's to it; but took into his own hands all the lands and manors of the bishoprick, and gave the Bishop several of the priories in Norfolk in exchange, which was confirmed in parliament.

Act 17 27 Regni

I shall next give a short abstract of the articles about religion, which were, after much consultation and long debating, agreed to.

"First, All bishops and preachers must instruct

the people to believe the whole Bible and the three creeds; that made by the apostles, the Nicene, and the Athanasian; and interpret all things according to them, and in the very same words, and condemn all heresies contrary to them, particularly those condemned by the first four general councils.

Articles agreed on about religion, printed by Fuller.

"Secondly, Of baptism: the people must be instructed, that it is a sacrament instituted by Christ, for the remission of sins, without which none could attain everlasting life: and that, not only those of full age, but infants may and must be baptized, for the pardon of original sin, and obtaining the gift of the Holy Ghost, by which they become the sons of God. That none baptized ought to be baptized again. That the opinions of the Anabaptists and Pelagians were detestable heresies: and that those of ripe age, who desired baptism, must with it join repentance and contrition for their sins, with a firm belief of the articles of the faith.

"Thirdly, Concerning penance: they were to instruct the people, that it was instituted by Christ, and was absolutely necessary to salvation. That it consisted of contrition, confession, and amendment of life; with exterior works of charity, which were the worthy fruits of penance. For contrition, it was an inward shame and sorrow for sin, because it is an offence of God, which provokes his displeasure. To this must be joined, a faith of the mercy and goodness of God, whereby the penitent must hope, that God will forgive him, and repute him justified, and of the number of his elect children, not for the worthiness of any merit or work done by him, but for the only merits of the blood and passion of our Saviour Jesus Christ. That this faith is got and confirmed by the application of the promises of the gospel, and the use of the sacraments: and for that end, confession to a priest is necessary, if it may be had, whose absolution was instituted by Christ, to apply the promises of God's grace to the penitent: therefore the people were to be taught, that the absolution is spoken by an authority given by Christ in the gos-

pel to the priest, and must be believed, as if it were spoken by God himself, according to our Saviour's words; and therefore none were to condemn auricular confession, but use it for the comfort of their consciences. The people were also to be instructed, that though God pardoned sin, only for the satisfaction of Christ, yet they must bring forth the fruits of penance, prayer, fasting, almsdeeds, with restitution and satisfaction for wrongs done to others, with other works of mercy and charity, and obedience to God's commandments, else they could not be saved; and that by doing these, they should both obtain everlasting life, and mitigation of their afflictions in this present life, according to the Scriptures.

"Fourthly, As touching the sacrament of the altar, people were to be instructed, that under the forms of bread and wine, there was truly and substantially given the very same body of Christ that was born of the Virgin Mary; and therefore it was to be received with all reverence, every one duly examining himself, according to the words of St. Paul.

"Fifthly, The people were to be instructed, that justification signifieth remission of sins, and acceptation into the favour of God; that is to say, a perfect renovation in Christ. To the attaining which, they were to have contrition, faith, charity, which were both to concur in it, and follow it; and that the good works necessary to salvation, were not only outward civil works, but the inward motions and graces of God's Holy Spirit, to dread, fear, and love him, to have firm confidence in God, to call upon him, and to have patience in all adversities, to hate sin, and have purposes and wills not to sin again; with such other motions and virtues, consenting and agreeable to the law of God.

"The other articles were about the ceremonies of the church. First, of images. The people were to be instructed, that the use of them was warranted by the Scriptures, and that they served to represent to them good examples, and to stir up devotion; and therefore it was meet that they should stand in the

churches. But, that the people might not fall into such superstition as it was thought they had done in time past, they were to be taught to reform such abuses, lest idolatry might ensue; and that in censing, kneeling, offering, or worshipping them, the people were to be instructed, not to do it to the image, but to God and his honour.

"Secondly, For the honouring of saints: they were not to think to attain these things at their hands, which were only obtained of God; but that they were to honour them as persons now in glory, to praise God for them, and imitate their virtues, and not fear to die for the truth, as many of them had done.

"Thirdly, For praying to saints: the people were to be taught, that it was good to pray to them, to pray for and with us. And to correct all superstitious abuses in this matter, they were to keep the days appointed by the church for their memories, unless the King should lessen the number of them, which if he did, it was to be obeyed.

"Fourthly, Of Ceremonies. The people were to be taught, that they were not to be condemned and cast away, but to be kept as good and laudable, having mystical significations in them, and being useful to lift up our minds to God. Such were the vestments in the worship of God: the sprinkling holy water, to put us in mind of our baptism and the blood of Christ; giving holy bread, in sign of our union in Christ, and to remember us of the sacrament; bearing candles on Candlemas-day, in remembrance that Christ was the spiritual light; giving ashes on Ash-Wednesday, to put us in mind of penance, and of our mortality; bearing palms on Palm-Sunday, to shew our desire to receive Christ in our hearts, as he entered into Jerusalem; creeping to the cross on Good-Friday, and kissing it, in memory of his death, with the setting up the sepulchre on that day; the hallowing the font, and other exorcisms and benedictions.

"And lastly, As to purgatory, they were to declare it good and charitable to pray for the souls departed, which was said to have continued in the church from

the beginning: and therefore the people were to be instructed, that it consisted well with the due order of charity, to pray for them, and to make others pray for them, in masses and exequies, and to give alms to them for that end. But since the place they were in, and the pains they suffered, were uncertain by the Scripture, we ought to remit them wholly to God's mercy: therefore all these abuses were to be put away, which, under the pretence of purgatory, had been advanced, as if the Pope's pardons did deliver souls out of it, or masses said in certain places, or before certain images, had such efficiency: with other such-like abuses."*

These articles being thus conceived, and in several places corrected, and tempered by the King's own hand, were signed by Cromwell, and the Archbishop of Canterbury, and seventeen other bishops, forty abbots and priors, and fifty archdeacons and proctors of the lower house of Convocation. Among whom, Polydore Virgil and Peter Vannes signed with the rest, as appears by the original, yet extant. They being tendered to the King, he confirmed them, and ordered them to be published, with a preface, in his name. "It is said in the preface, that he, accounting it the chief part of his charge, that the word and commandments of God should be believed and observed, and to maintain unity and concord in opinion; and understanding, to his great regret, that there was great diversity of opinion arisen among his subjects, both about articles of faith and ceremonies, had, in his own person, taken great pains and study about these things, and had ordered also the bishops, and other learned men of the clergy, to examine them; who, after

Published by the King's authority

* See Addenda to this vol. and the articles themselves in vol. iii. Addenda to vol i. part ii. No. I. with the subscriptions annexed. In Strype's Ecclesiastical Memorials, vol i. p. 588. Oxford Edit 1822, these articles are referred to by mistake, as the *Institution of a Christian Man*, which did not appear till the following year, and which was certainly not *reprinted* by Burnet, as Strype says, if he ever saw it, which is judged by some to be very doubtful. See Laurence's Bampton Lectures, 190. The *Christian Institution* may be seen in Collier, vol. ii. p. 139. and all the three Formularies of Faith put forth by authority during the reign of Henry VIII. viz. The *Articles* of 1536, the *Institution* of a Christian Man, 1537, and the *Necessary* Doctrine and *Erudition* for any Christian Man, 1543, in a valuable publication by Bishop Lloyd, Oxford, 1825, the *Institution* was turned into Latin verse for the use of St Paul's school, by Erasmus. —N.

long deliberation, had concluded on the most special points, which the King thought proceeded from a good, right, and true judgment, according to the laws of God; these would also be profitable, for establishing unity in the church of England: therefore he had ordered them to be published, requiring all to accept of them, praying God so to illuminate their hearts, that they might have no less zeal and love to unity and concord, in reading them, than he had in making them to be devised, set forth, and published; which good acceptance should encourage him to take further pains for the future, as should be most for the honour of God, and the profit and the quietness of his subjects."

And variously censured

This being published, occasioned great variety of censures. Those that desired reformation, were glad to see so great a step once made; and did not doubt, but this would make way for further changes. They rejoiced to see the Scriptures and the ancient creeds made the standards of the faith, without mentioning tradition or the decrees of the church. Then the foundation of Christian faith was truly stated, and the terms of the covenant between God and man in Christ were rightly opened, without the niceties of the schools of either side. Immediate worship of images and saints was also removed, and purgatory was declared uncertain by the Scripture. These were great advantages to them; but the establishing the necessity of auricular confession, the corporal presence in the sacrament, the keeping up and doing reverence to images, and the praying to saints, did allay their joy; yet they still counted it a victory, to have things brought under debate, and to have some grosser abuses taken away.

The other party were unspeakably troubled. Four sacraments were passed over, which would encourage ill-affected people to neglect them. The gainful trade by the belief of purgatory was put down; for, though it was said to be good to give alms for praying for the dead, yet, since both the dreadful stories of the miseries of purgatory, and the certainty of re-

deeming souls out of them by masses, were made doubtful, the people's charity and bounty that way would soon abate. And, in a word, the bringing matters under dispute was a great mortification to them; for all concluded, that this was but a preamble to what they might expect afterwards.

When these things were seen beyond sea, the papal party made every where great use of it, to shew the necessity of adhering to the Pope; since the King of England, though, when he broke off from his obedience to the apostolic see, he pretended he would maintain the catholic faith entire, yet was now making great changes in it. But others, that were more moderate, acknowledged that there was great temper and prudence in contriving these articles. And it seems the Emperor, and the more learned divines about him, both approved of the precedent, and liked the particulars so well, that not many years after, the Emperor published a work not unlike this, called The Interim; because it was to be in force in that interim, till all things were more fully debated and determined by a general council, which, in many particulars, agreed with these articles. Yet some stricter persons censured this work much, as being a political daubing; in which, they said, there was more pains taken to gratify persons, and serve particular ends, than to assert truth in a free and unbiassed way, such as became divines. This was again excused; and it was said, that all things could not be attained on a sudden: that some of the bishops and divines, who afterwards arrived at a clearer understanding of some matters, were not then so fully convinced about them; and so it was their ignorance, and not their cowardice or policy, that made them compliant in some things. Besides, it was said, that as our Saviour did not reveal all things to his disciples, till they were able to bear them; and as the apostles did not of a sudden abolish all the rites of Judaism, but for some time, to gain the Jews, complied with them, and went to the temple, and offered sacrifices; so the people were not to be overdriven

in this change. The clergy must be brought out of their ignorance by degrees, and then the people were to be better instructed; but to drive furiously, and do all at once, might have spoiled the whole design, and totally alienated those who were to be drawn on by degrees; it might have also much endangered the peace of the nation, the people being much disposed by the practices of the friars to rise in arms: therefore, these slow steps were thought the surer and better method.

The convocation declares against the council called by the Pope.

On the last day of the convocation, there was another writing brought in by Fox, bishop of Hereford, occasioned by the summons for a general council to sit at Mantua, to which the Pope had cited the King to appear. The King had made his appeal from the Pope to a general council, but there was no reason to expect any justice in an assembly so constituted as this was like to be. Therefore it was thought fit to publish somewhat of the reasons why the King could not submit his matter to the decision of such a council, as was then intended. And it was moved, that the convocation should give their sense of it.

Collect Numb 5.

The substance of their answer (which the reader will find in the Collection) was, "That as nothing was better instituted by the ancient fathers, for the establishment of the faith, the extirpation of heresies, the healing of schisms, and the unity of the Christian church, than general councils, gathered in the Holy Ghost, duly called to an indifferent place, with other necessary requisites; so, on the other hand, nothing could produce more pestiferous effects than a general council called upon private malice, or ambition, or other carnal respects; which Gregory Nazianzen so well observed in his time, that he thought 'all assemblies of bishops were to be eschewed, for he never saw good come of any of them, and they had increased rather than healed the distempers of the church. For the appetite of vain-glory, and a contentious humour, bore down reason:' therefore they thought Christian princes ought to employ all their endeavours to prevent so great a mischief. And it

was to be considered, first, Who had authority to call one. Secondly, If the reasons for calling one were more weighty. Thirdly, Who should be the judges. Fourthly, What should be the manner of proceeding. Fifthly, What things should be treated of in it. And, as to the first of these, they thought neither the Pope, nor any one prince, of what dignity soever, had authority to call one, without the consent of all other Christian princes: especially such as had entire and supreme government over all their subjects." This was signed on the 20th of July, by Cromwell, and the Archbishop of Canterbury, with fourteen bishops, and forty abbots, priors, and clerks, of the convocation of Canterbury. Whether this and the former articles were also signed by the convocation of the province of York, does not appear by any record; but that I think is not to be doubted. This being obtained, the King published a long and sharp protestation against the council now summoned to Mantua. In which he shews, that the Pope had no power to call one; "For, as it was done by the emperors of old; so it pertained to Christian princes now. That the Pope had no jurisdiction in England, and so could summon none of this nation to come to any such meeting. That the place was neither safe nor proper. That nothing could be done in a council to any purpose, if the Pope sat judge in chief in it; since one of the true ends, why a council was to be desired, was to reduce his power within its old limits. A free general council was that which he much desired; but he was sure this could not be such; and the present distractions of Christendom, and the wars between the Emperor and the French King, shewed this was no proper time for one. The Pope, who had long refused or delayed to call one, did now choose this conjuncture of affairs, knowing that few would come to it, and so they might carry things as they pleased. But the world was now awake; the Scriptures were again in men's hands, and people would not be so tamely cozened as they had been. Then he shews, how unsafe it was for any Englishman to

The King publishes his reasons against it

Fox.

go to Mantua, how little regard was to be had to the Pope's safe-conduct, they having so oft broken their oaths and promises. He also shews, how little reason he had to trust himself to the Pope, how kind he had been to that see formerly, and how basely they had requited it: and that now, these three years past, they had been stirring up all Christian princes against him, and using all possible means to create him trouble: therefore he declared, he would not go to any council called by the Bishop of Rome; but when there was a general peace among Christian princes, he would most gladly hearken to the motion of a true general council: and, in the mean while, he would preserve all the articles of the faith in his kingdom, and sooner lose his life and his crown, than suffer any of them to be put down. And so he protested against any council to be held at Mantua, or any where else, by the Bishop of Rome's authority: that he would not acknowledge it, nor receive any of their decrees."

Cardinal Pole opposes the King's proceedings

At this time, Reginald Pole, who was of the royal blood, being by his mother descended from the Duke of Clarence, brother to King Edward IV. and in the same degree of kindred with the King by his father's side, was in great esteem for his learning, and other excellent virtues. It seems, the King had determined to breed him up to the greatest dignity in the church; and to make him as eminent in learning, and other acquired parts, as he was for quality, and a natural sweetness and nobleness of temper. Therefore, the King had given him the deanery of Exeter, with several other dignities, towards his maintenance beyond sea; and sent him to Paris, where he stayed several years: there he first incurred the king's displeasure. For, being desired by him to concur with his agents in procuring the subscriptions and seals of the French universities, he excused himself; yet it was in such terms, that he did not openly declare himself against the King: after that, he came over to England, and as he writes himself, was present when the clergy made their submission, and acknowledged the King supreme head. In which, since he was then dean

of Exeter, and kept his deanery several years after that, it is not to be doubted, but that, as he was by his place obliged to sit in the convocation, so he concurred with the rest in making that submission. From thence he went to Padua, where he lived long, and was received into the friendship and society of some celebrated persons, who gave themselves much to the study of eloquence, and of the Roman authors. These were Centareno, Bembo Caraffa, Sadoletti, with a great many more, that became afterwards well known over the world: but all those gave Pole the pre-eminence, and that justly too, for he was accounted one of the most eloquent men of his time.

The King called him oft home to assist him in his affairs, but he still declined it; at length, finding delays could prevail no longer, he wrote the King word —that he did not approve of what he had done, neither in the matter of divorce, nor his separation from the apostolic see. To this the King answered,—desiring his reasons why he disagreed from him, and sent him over a book which Dr. Sampson had writ in defence of the proceedings in England. Upon which, he wrote his book De Unitate Ecclesiastica, and sent it over to the King; and soon after printed it in this year. In which book he condemned the King's actions, and pressed him to return to the obedience he owed the see of Rome, with many sharp reflections; but the book was more considered for the author, and the wit and eloquence of it, than for any great learning or deep reasoning in it. He did also very much depress the royal, and exalt the papal authority: he compared the King to Nebuchadonosor, and addressed himself in the conclusion to the Emperor; whom he conjured to turn his arms rather against the King than the Turk. And, indeed, the indecencies of his expressions against the King, not to mention the scurrilous language he bestows on Sampson, whose book he undertakes to answer, are such, that it appears how much the Italian air had changed him; and that his converse at Padua had, for some time

And writes his book against him

defaced that generous temper of mind, which was otherwise so natural to him.

Upon this, the King desired him at first to come over, and explain some passages in his book: but when he could not thus draw him into his toils, he proceeded severely against him, and divested him of all his dignities; but these were plentifully made up to him by the Pope's bounty, and the Emperor's. He was afterwards rewarded with a cardinal's hat, but he did not rise above the degree of a deacon. Some believe that the spring of this opposition he made to the King was a secret affection he had for the Lady Mary. The publishing of this book made the King set the bishops on work to write vindications of his actions: which Stokesley and Tonstal did, in a long and learned letter that they wrote to Pole. And Gardiner published his book of True Obedience: to which Bonner, who was hot on the scent of preferment, added a preface. But the King designed sharper tools for Pole's punishment: yet an attainder in absence was all he could do against himself. But his family and kindred felt the weight of the King's displeasure very sensibly.

Many books are written for the King

But now I must give an account of the dissolution of the monasteries, pursuant to the act of parliament, though I cannot fix the exact time in which it was done. I have seen the original instructions, with the commission given to those who were to visit the monasteries in and about Bristol. All the rest were of the same kind: they bear date the 28th of April, after the session of parliament was over; and the report was to be made in the octaves of St. Michael the archangel. But I am inclined to think that the great concussion and disorder things were in by the Queen's death, made the commissioners unwilling to proceed in so invidious a matter, till they saw the issue of the new parliament. Therefore I have delayed giving any account of the proceedings in that matter till this place. The instructions will be found in the Collection. The substance of them was as follows:—

"The auditors of the court of Augmentations were the persons that were employed. Four, or any three

Collect. Numb 6.

Instructions about the dissolution of monasteries.

of them, were commissioned to execute the instructions in every particular visitation. One auditor, or receiver, and one of the clerks of the former visitation, were to call for three discreet persons in the county, who were also named by the King. They were to signify to every house the statute of dissolution, and shew them their commission. Then they were to put the governor, or any other officer of the house, to declare upon oath the true state of it: and to require him speedily to appear before the court of Augmentations: and, in the mean time, not to meddle with any thing belonging to the house. Then to examine how many religious persons were in the house, and what lives they led; how many of them were priests, how many of them would go to other religious houses, and how many of them would take capacities and go into the world. They were to estimate the state and fabric of the house, and the number of the servants they kept: and to call for the covent-seal, and writings, and put them in some sure place, and take an inventory of all their plate, and their moveable goods, and to know the value of all that, before the 1st of March last, belonged to the house, and what debts they owed. They were to put the covent-seal, with the jewels and plate, in safe keeping, and to leave the rest (an inventory being first taken) in the governors' hands, to be kept by them till further order. And the governors were to meddle with none of the rents of the house, except for necessary sustenance, till they were another way disposed of. They were to try what leases and deeds had been made for a whole year before the 4th of February last. Such as would still live in monasteries were to be recommended to some of the great monasteries that lay next: and such as would live in the world, must come to th Archbishop of Canterbury, or the Lord Chancellor, to receive capacities." (From which it appears, that Cromwell was not at this time lord vicegerent, for he granted these capacities when he was in that power.) "And the commissioners were to give them a reasonable allowance for their journey, according to the distance

they lived at. The governor was to be sent to the court of Augmentations, who were to assign him a yearly pension for his life."

What report those commissioners made, or how they obeyed their instructions, we know not; for the account of it is razed out of the Records. The writers that lived near that time represent the matter very odiously, and say—about ten thousand persons were set to seek for their livings; only forty shillings in money, and a gown, being given to every religious man. The rents of them all rose to about thirty-two thousand pounds: and the goods, plate, jewels, and other moveables, were valued at a hundred thousand pounds: and it is generally said, and not improbably, that the commissioners were as careful to enrich themselves, as to increase the King's revenue. The churches and cloisters were for the most part pulled down; and the lead, bells, and other materials were sold; and this must needs have raised great discontents every where.

Great discontents among all sorts of people.

The religious persons that were undone, went about complaining of the sacrilege and injustice of this suppression; that what the piety of their ancestors had dedicated to God and his saints was now invaded and converted to secular ends. They said, the King's severity fell first upon some particular persons of their orders, who were found delinquents; but now, upon the pretended miscarriages of some individual persons, to proceed against their houses, and suppress them, was an unheard of practice. The nobility and gentry, whose ancestors had founded or enriched these houses, and who provided for their younger children, or impoverished friends, by putting them into these sanctuaries, complained much of the prejudice they sustained by it. The people, that had been well entertained at the abbots' tables, were sensible of their loss: for generally, as they travelled over the country, the abbeys were their stages, and were houses of reception to travellers and strangers. The devouter sort of people of their persuasion thought their friends must now lie in purgatory without relief, except they were at the

charge to keep a priest, who should daily say mass for their souls. The poor that fed on their daily alms were deprived of that supply.

Endeavours are used to quiet these.

But to compose these discontents, first, many books were published, to shew what crimes, cheats, and impostures, those religious persons were guilty of. Yet that wrought not much on the people; for they said, why were not these abuses severely punished and reformed? But must whole houses, and the succeeding generations, be punished for the faults of a few? Most of these reports were also denied, and even those who before envied the ease and plenty in which the abbots and monks lived, began now to pity them, and condemned the proceedings against them. But to allay this general discontent, Cromwell advised the King to sell their lands at very easy rates to the gentry in the several counties, obliging them, since they had them upon such terms, to keep up the wonted hospitality. This drew in the gentry apace both to be satisfied with what was done, and to assist the crown for ever in the defence of these laws, their own interest being so interwoven with the rights of the crown. The commoner sort, who, like those of old that followed Christ for the loaves, were most concerned for the loss of a good dinner on a holy-day, or when they went over the country about their business, were now also in a great measure satisfied, when they heard that all to whom these lands were given, were obliged under heavy forfeitures to keep up the hospitality; and when they saw that put in practice, their discontent, which lay chiefly in their stomach, was appeased.

And to quiet other people, who could not be satisfied with such things, the King made use of a clause in the act that gave him the lesser monasteries, which empowered him to continue such as he should think fit. Therefore on the 17th of August, he by his letters-patents, did of new give back *in perpetuam eleemosynam* for perpetual alms, five abbeys. The first of these was the abbey of St. Mary of Betlesden of the Cistercian order in Buckinghamshire. Ten more

Collect. Numb 3 Sect. 2.

were afterwards confirmed. Sixteen nunneries were also confirmed: in all thirty-one houses. The patents (in most of which some manors are excepted, that had been otherwise disposed of), are all enrolled, and yet none of our writers have taken any notice of this. It seems these houses had been more regular than the rest: so that in a general calamity they were rather reprieved than excepted: for two years after this, in the suppression of the rest of the monasteries, they fell under the common fate of other houses. By these new endowments, they were obliged to pay tenths and first-fruits, and to obey all the statutes and rules that should be sent to them from the King, as supreme head of the church. But it is not unlike, that some presents, to the commissioners, or to Cromwell, made these houses outlive this ruin: for I find great trading in bribes at this time, which is not to be wondered at, when there was so much to be shared.

Yet people generally incline to rebel

But great disorders followed upon the dissolution of the other houses. People were still generally discontented. The suppression of religious houses occasioned much outcrying, and the articles then lately published about religion increased the distaste they had conceived at the government. The old clergy were also very watchful to improve all opportunities, and to blow upon every spark. And the Pope's power of deposing kings had been for almost five hundred years received as an article of faith. The same council that established transubstantiation, had asserted it: and there were many precedents, not only in Germany, France, Spain, and Italy, but also in England, of kings that were deposed by popes, whose dominions were given to other princes. This had begun in the eighth century, in two famous deprivations. The one in France, of Childeric the Third, who was deprived, and the crown given to Pepin; and, about the same time, those dominions in Italy, which were under the eastern emperors, renounced their allegiance to them. In both these the popes had a great hand; yet they rather confirmed and approved of those treasonable mutations, than gave the

first rise to them. But after Pope Gregory the Seventh's time, it was clearly assumed as a right and prerogative of the papal crown to depose princes, and absolve subjects from the oaths of allegiance, and set up others in their stead. And all those emperors or kings, that contested any thing with popes, sat very uneasy and unsafe in their thrones ever after that. But if they were tractable to the demands of the court of Rome, then they might oppress their subjects, and govern as unjustly as they pleased; for they had a mighty support from that court. This made princes more easily bear the popes' usurpations, because they were assisted by them in all their other proceedings. And the friars having the consciences of people generally in their hands, as they had the word given by their general at Rome, so they disposed people either to be obedient or seditious, as they pleased.

Now, not only their own interests, mixed with their zeal for the ancient religion, but the Pope's authority, gave them as good a warrant to incline the people to rebel, as any had in former times, of whom some were canonized for the like practices. For in August the former year, the Pope had summoned the King to appear within ninety days, and to answer for putting away his Queen, and taking another wife; and for the laws he had made against the church, and putting the Bishop of Rochester and others to death for not obeying these laws: and if he did not reform these faults, or did not appear to answer for them, the Pope excommunicated him, and all that favoured him; deprived the King, put the kingdom under an interdict, forbade all his subjects to obey, and other states to hold commerce with him; dissolved all his leagues with foreign princes, commanded all the clergy to depart out of England, and his nobility to rise in arms against him. But now, the force of those thunders, which formerly produced great earthquakes and commotions, was much abated; yet some storms were raised by this, though not so violent as had been in former times.

The people were quiet till they had reaped their harvest. And though some injunctions were published a little before, to help it the better forward, most of the holy-days in harvest being abolished by the King's authority, yet that rather inflamed them the more. Other injunctions were published in the King's name by Cromwell his vicegerent, which was the first act of pure supremacy done by the King. For in all that went before, he had the concurrence of the two convocations. But these, it is like, were penned by Cranmer. The reader is referred to the Collection of Papers for them, as I transcribed them out of the Register.

The King's injunctions about religion.

Collect. Numb 7.

"The substance of them was, that, first, all ecclesiastical incumbents were for a quarter of a year after that, once every Sunday, and ever after that, twice every quarter, to publish to the people, that the Bishop of Rome's usurped power, had no ground in the law of God; and therefore was on good reasons abolished in this kingdom. and that the King's power was by the law of God supreme over all persons in his dominions. And they were to do their uttermost endeavour, to extirpate the Pope's authority, and to establish the King's.

"Secondly, They were to declare the articles lately published, and agreed to, by the convocation: and to make the people know which of them were articles of faith, and which of them rules for the decent and politic order of the church.

"Thirdly, They were to declare the articles lately set forth, for the abrogation of some superfluous holydays, particularly in harvest-time.

"Fourthly, They were no more to extol images or relics for superstition or gain; nor exhort people to make pilgrimages, as if blessings and good things were to be obtained of this or that saint or image. But instead of that, the people were to be instructed to apply themselves to the keeping of God's commandments, and doing works of charity; and to believe that God was better served by them, when they stayed at home and provided for their families, than when

they went pilgrimages; and that the monies laid out on these were better given to the poor.

"Fifthly, They were to exhort the people to teach their children the Lord's Prayer, the Creed, and the Ten Commandments, in English: and every incumbent was to explain these, one article a day, till the people were instructed in them. And to take great care, that all children were bred up to some trade or way of living.

"Sixthly, They must take care that the sacraments and sacramentals be reverently administered in their parishes; from which when at any time they were absent, they were to commit the cure to a learned and expert curate, who might instruct the people in wholesome doctrine: that they might all see that their pastors did not pursue their own profits or interests so much as the glory of God, and the good of their souls under their cure.

"* Seventhly, They should not, except on urgent occasion, go to taverns or ale-houses: nor sit too long at any sort of games after their meals: but give themselves to the study of the Scripture, or some other honest exercise; and remember that they must excel others in purity of life, and be examples to all others to live well and Christianly.

"Eighthly, Because the goods of the church were the goods of the poor, every beneficed person that had twenty pounds or above, and did not reside, was yearly to distribute the fortieth part of his benefice to the poor of the parish.

"Ninthly, Every incumbent that had a hundred pounds a-year, must give an exhibition for one scholar at some grammar-school, or university; who, after he had completed his studies, was to be partner of the cure and charge, both in preaching and other duties: and so many hundred pounds as any had, so many students he was to breed up.

"Tenthly, Where parsonage or vicarage-houses

* The seventh article is wholly omitted, for providing a Bible in Latin and English, and laying it in the quire.—See Collection of Records, No. 7. Vol. I. Part II. Book III.

were in great decay, the incumbent was every year to give a fifth part of his profits to the repairing of them, till they were finished; and then to maintain them in the state they were in.

"Eleventhly, All these injunctions were to be observed, under pain of suspension and sequestration of the mean profits till they were observed."

These were equally ungrateful to the corrupt clergy, and to the laity that adhered to the old doctrine. The very same opinions, about pilgrimages, images, and saints departed, and instructing the people in the principles of Christian religion in the vulgar tongue, for which the Lollards were, not long ago, either burnt or forced to abjure them, were now set up by the King's authority. From whence they concluded, that whatsoever the King said of his maintaining the old doctrine, yet he was now changing it. The clergy also were much troubled at this precedent, of the King's giving such injunctions to them, without the consent of the convocation: from which they concluded, they were now to be slaves to the lord vicegerent. The matter of these injunctions was also very uneasy to them The great profits they made by their images and relics, and the pilgrimages to them, were now taken away: and yet severe impositions and heavy taxes were laid on them; a fifth part for repairs, a tenth at least for an exhibitioner and a fortieth for charity, which were cried out on as intolerable burthens. Their labour was also increased, and they were bound up to many severities of life: all these things touched the secular clergy to the quick, and made them concur with the regular clergy in disposing the people to rebel. Which were much censured.

This was secretly fomented by the great abbots. For though they were not yet struck at, yet the way was prepared to it; and their houses were oppressed with crowds of those who were sent to them from the suppressed houses. There were some pains taken to remove their fears. For a letter was sent to them all in the King's name, to silence the reports that were spread abroad, as if all monasteries were to be

quite suppressed. This they were required not to believe, but to serve God according to their order, to obey the King's injunctions, to keep hospitality, and to make no wastes nor dilapidations. Yet this gave them small comfort; and, as all such things do, rather increased than quieted their jealousies and fears. So many secret causes concurring, no wonder the people fell into mutinous and seditious practices.

A rebellion in Lincolnshire

The first rising was in Lincolnshire in the beginning of October; where a churchman, disguised into a cobler, and directed by a monk, drew a great body of men after him. About twenty thousand were gathered together. They swore to be true to God, the King, and the commonwealth, and digested their grievances into a few articles, which they sent to the King, desiring a redress of them.

Their demands

"They complained of some things that related to secular concerns, and some acts of parliament that were uneasy to them: they also complained of the suppression of so many religious houses: that the King had mean persons in high places about him, who were ill counsellors: they also complained of some bishops who had subverted the faith: and they apprehended the jewels and plate of their churches should be taken away. Therefore they desired the King would call to him the nobility of the realm, and by their advice redress their grievances: concluding with an acknowledgment of the King's being their supreme head, and that the tenths and first-fruits of all livings belonged to him of right."

The King's answer

When the King heard of this insurrection, he presently sent the Duke of Suffolk with a commission to raise forces for dispersing them: but with him he sent an answer to their petition. He began with that about his counsellors, and said, "It was never before heard of that the rabble presumed to dictate to their Prince what counsellors he should choose. That was the Prince's work, and not their's. The suppression of religious houses was done pursuant to an act of parliament, and was not set forth by any of his counsellors. The heads of these religious

houses had under their own hands confessed those horrid scandals which made them a reproach to the nation; and in many houses there were not above four or five religious persons. So it seemed they were better pleased that such dissolute persons should consume their rents in riotous and idle living, than that their Prince should have them for the common good of the whole kingdom. He also answered their other demands in the same high and commanding strain; and required them to submit themselves to his mercy, and to deliver their captains and lieutenants into the hands of his lieutenants; and to disperse, and carry themselves as became good and obedient subjects, and to put a hundred of their number into the hands of his lieutenants, to be ordered as they had deserved."

When this answer was brought to them, it raised their spirits higher. The practising clergymen continued to inflame them; they persuaded them that the Christian religion would be very soon effaced, and taken away quite, if they did not vigorously defend it; that it would come to that, that no man should marry a wife, receive any of the sacraments, nor eat a piece of roast meat, but he should pay for it; that it were better to live under the Turk than under such oppression. Therefore, there was no cause in which they could with more honour and a better conscience hazard their lives, than for the holy faith. This encouraged and kept them together a little longer: they had forced many of the gentry of the country to go along with them. These sent a secret message to the Duke of Suffolk, letting him know what ill effects the King's rough answer had produced: that they had joined with the people only to moderate them a little, and they knew nothing that would be so effectual as the offer of a general pardon. So the Duke of Suffolk, as he moved towards them with the forces which he had drawn together, sent to the King to know his pleasure, and earnestly advised a gentle composing of the matter without blood. At that same time the King was advertised from the

It is quieted by the Duke of Suffolk

A new rebellion in the north.

north, that there was a general and formidable rising there; of which he had the greater apprehensions, because of their neighbourhood to Scotland; whose King, being the King's nephew, was the heir presumptive of the crown, since the King had illegitimated both his daughters: and though the King's firm alliance with France made him less apprehensive of trouble from Scotland, and their King was at this time in France, to marry the daughter of Francis; yet he did not know how far a general rising might invite that King, to send orders to head and assist the rebels in the north. Therefore, he resolved first to quiet Lincolnshire; and as he had raised a great force about London, with which he was marching in person against them, so he sent a new proclamation, requiring them to return to their obedience, with secret assurances of mercy. By these means they were melted away. Those who had been carried in the stream submitted to the King's mercy, and promised all obedience for the future; others, that were obstinate, and knew themselves unpardonable, fled northward, and joined themselves to the rebels there: some of their other leaders were apprehended, in particular the cobler, and were executed.

But for the northern rebellion, as the parties concerned, being at a greater distance from the court, had larger opportunities to gather themselves into a huge body; so the whole contrivance of it was better laid. One Ask commanded in chief; he was a gentleman of an ordinary condition, but understood well how to draw on and govern a multitude. Their march was called *the pilgrimage of grace;* and, to inveigle the people, some priests marched before them with crosses in their hands. In their banners they had a crucifix, with the five wounds, and a chalice; and every one wore on his sleeve, as the badge of the party, an emblem of the five wounds of Christ, with the name *Jesus* wrought in the midst. All that joined to them took an oath, "that they entered into this pilgrimage of grace for the love of God, the preservation of the King's person and issue, the purify-

ing the nobility, and driving away all base-born and ill counsellors; and for no particular profit of their own, nor to do displeasure to any, nor to kill any for envy; but to take before them the cross of Christ, his faith, the restitution of the church, and the suppression of heretics and their opinions." These were specious pretences, and very apt to work upon a giddy and discontented multitude. So people flocked about their crosses and standards in great numbers, and they grew to be forty thousand strong. They went over the country without any opposition. The Archbishop of York and the Lord Darcy were in Pomfret Castle; which they yielded to them, and were made to swear their covenant. They were both suspected of being secret promoters of the rebellion; the latter suffered for it: but how the former excused himself, I cannot give any account. They also took York and Hull; but though they summoned the castle of Skipton, yet the Earl of Cumberland, who would not degenerate from his noble ancestors, held it out against all their force; and though many of the gentlemen, whom he had entertained at his own cost, deserted him, yet he made a brave resistance. Scarborough Castle was also long besieged; but there Sir Ralph Evers, that commanded it, gave an unexampled instance of his fidelity and courage; for though his provisions fell short, so that for twenty days he and his men had nothing but bread and water, yet they stood out till they were relieved.

Which grew very formidable.

This rising in Yorkshire encouraged those of Lancashire, the bishoprick of Duresme and Westmoreland to arm. Against these, the Earl of Shrewsbury, that he might not fall short of the gallantry and loyalty of his renowned ancestors, made head, though he had no commission from the King. But he knew his zeal and fidelity would easily procure him a pardon, which he modestly asked for the service he had done. The King sent him not only that, but a commission to command in chief all his forces in the north. To his assistance he ordered the Earl of Derby to march; and sent Courtney, Marquis of

Exeter, and the Earls of Huntingdon and Rutland to join him. He also ordered the Duke of Suffolk, with the force that he had led into Lincolnshire, to lie still there, lest they, being but newly quieted, should break out again, and fall upon his armies behind, when the Yorkshire men met them before.

The Duke of Norfolk and others sent against them.

On the 20th of October he sent the Duke of Norfolk with more forces to join the Earl of Shrewsbury; but the rebels were very numerous and desperate. When the Duke of Norfolk understood their strength, he saw great reason to proceed with much caution; for if they had got the least advantage of the King's troops, all the discontents in England would upon the report of that have broken out. He saw their numbers were now such, that the gaining some time was their ruin; for such a great body could not subsist long together without much provisions, and that must be very hard for them to bring in. So he set forward a treaty: it was both honourable for the King to offer mercy to his distracted subjects, and of great advantage to his affairs; for as their numbers did every day lessen, so the King's forces were still increasing. He wrote to the King, that, considering the season of the year, he thought the offering some fair conditions might persuade them to lay down their arms, and disperse themselves; yet when the Earl of Shrewsbury sent a herald with a proclamation, ordering them to lay down their arms and submit to the King's mercy, Ask received him sitting in state, with the Archbishop on the one hand, and the Lord Darcy on the other; but would not suffer any proclamation to be made till he knew the contents of it. And when the herald told what they were, he sent him away without suffering him to publish it; and then the priests used all their endeavours to engage the people to a firm resolution of not dispersing themselves, till all matters about religion were fully settled.

As they went forward, they every where repossessed the ejected monks of their houses; and this encouraged the rest, who had a great mind to be in

their old nests again. They published also many stories among them of the growing burdens of the King's government, and made them believe that impositions would be laid on every thing that was either bought or sold. But the King, hearing how strong they were, sent out a general summons to all the nobility to meet him at Northampton the 7th of November. And the forces sent against the rebels advanced to Doncaster, to hinder them from coming further southward; and took the bridge, which they fortified, and laid their forces along the river to maintain that pass.

They advance to Doncaster.

The writers of that time say, that the day of battle was agreed upon; but that, the night before, excessive rains falling, the river swelled so, that it was unpassable next day, and they could not force the bridge. Yet it is not likely the Earl of Shrewsbury, having in all but five thousand men about him, would agree to a pitched battle with those who were six times his number, being then thirty thousand. Therefore it is more likely that the rebels only intended to pass the river the next day, which the rain that fell hindered: but the Duke of Norfolk continued to press a treaty, which was hearkened to by the other side, who were reduced to great straits; for their captain would not suffer them to spoil the country, and they were no longer able to subsist without doing that. The Duke of Norfolk directed some that were secretly gained, or had been sent over to them as deserters, to spread reports among them, that their leaders were making terms for themselves, and would leave the rest to be undone. This, joined to their necessities, made many fall off every day. The Duke of Norfolk, finding his arts had so good an operation, offered to go to court with any whom they would send with their demands, and to intercede for them. This he knew would take up some time, and most of them would be dispersed before he could return. So they sent two gentlemen, whom they had forced to go with them, to the King, to Windsor. Upon this, the King discharged the rendezvous at Northampton, and de-

The Duke of Norfolk breaks them by delays.

layed the sending an answer as much as could be; but at last, hearing that, though most of them were dispersed, yet they had engaged to return upon warning, and that they took it ill that no answer came; he sent the Duke of Norfolk to them with a general pardon, six only excepted by name, and four others that were not named. But in this the King's counsels were generally censured, for every one was now in fear, and so the rebels rejected the proposition. The King also sent them word by their own messenger, "that he took it very ill at their hands, that they had chosen rather to rise in arms against him, than to petition him about these things which were uneasy to them." And to appease them a little, the King, by new injunctions, commanded the clergy to continue the use of all the ceremonies of the church. This, it is like, was intended for keeping up the four sacraments, which had not been mentioned in the former articles. The clergy that were with the rebels met at Pomfret, to draw up articles to be offered at the treaty that was to be at Doncaster; where three hundred were ordered to come from the rebels to treat with the King's commissioners. So great a number was called, in hopes that they would disagree about their demands, and so fall out among themselves. On the 6th of December they met to treat, and it seems had so laid their matter before, that they agreed upon these following demands.

Their demands

"A general pardon to be granted: a parliament to be held at York; and courts of justice to be there, that none on the north of Trent might be brought to London upon any law-suit. They desired a repeal of some acts of parliament; those for the last subsidy, for uses, for making words misprision of treason, and for the clergy paying their tenths and first-fruits to the King. They desired the Princess Mary might be restored to her right of succession; the Pope to his wonted jurisdiction, and the monks to their houses again: that the Lutherans might be punished; that Audley, the lord-chancellor, and Cromwell, the lord privy-seal, might be excluded from the next parlia-

ment; and Lee and Leighton, that had visited the monasteries, might be imprisoned for bribery and extortion."

But the lords, who knew that the King would by no means agree to these propositions, rejected them. Upon which the rebels took heart again, and were growing more enraged and desperate; so that the Duke of Norfolk wrote to the King, that if some content were not given them, it might end very ill, for they were much stronger than his forces were: and both he and the other commanders of the King's forces, in their hearts wished, that most of their demands were granted; being persons, who, though they complied with the King, and were against that rebellion, yet were great enemies to Lutheranism, and wished a reconciliation with Rome; of which the Duke of Norfolk was afterwards accused by the Lord Darcy, as if he had secretly encouraged them to insist on these demands. The King, seeing the humour was so obstinate, resolved to use gentler remedies; and so sent to the Duke of Norfolk a general pardon, with a promise of a parliament, ordering him not to make use of these except in extremity. This was no easy thing to that Duke; since he might be afterwards made to answer for it, whether the extremity was really such as to justify his granting these things. But the rebels were become again as numerous as ever, and had resolved to cross the river, and to force the King's camp, which was still much inferior to theirs in number. But rains falling the second time, made the fords again unpassable. This was spoken of by the King's party as little less than a miracle; that God's providence had twice so opportunely interposed for the stopping of the progress of the rebels; and it is very probable, that, on the other side, it made great impression on the superstitious multitude, and both discouraged them and disposed them to accept of the offer of pardon, and a parliament to be soon called, for considering their other demands The King signed the pardon at Richmond, the 9th of December; by which all their

treasons and rebellion to that day were pardoned, previded they made their submission to the Duke of Norfolk and the Earl of Shrewsbury, and lived in due obedience for the future. The King sent likewise a long answer to their demands. "As to what they complained about the subversion of the faith: he protested his zeal for the true Christian faith, and that he would live and die in the defence and preservation of it. But the ignorant multitude were not to instruct him what the true faith was, nor to presume to correct what he and the whole convocation had agreed on. That as he had preserved the church of England in her true liberties, so he would do still; and that he had done nothing that was so oppressive, as many of his progenitors had done upon lesser grounds. But that he took it very ill of them, who had rather one churl or two should enjoy the profits of their monasteries, to support them in their dissolute and abominable course of living, than that their King should have them for defraying the great charge he was at for their defence against foreign enemies. For the laws, it was high presumption in a rude multitude to take on them to judge what laws were good, and what not. They had more reason to think, that he, after twenty-eight years' reign, should know it better than they could. And for his government, he had so long preserved his subjects in peace and justice, had so defended them from their enemies, had so secured his frontier, had granted so many general pardons, had been so unwilling to punish his subjects, and so ready to receive them into mercy; that they could shew no parallel to his government among all their former kings. And whereas it was said, that he had many of the nobility of his council in the beginning of his reign, and few now; he shewed them, in that one instance, how they were abused by the lying slanders of some disaffected persons; for when he came to the crown, there were none that were born noble of his council, but only the Earl of Surrey and the Earl of Shrewsbury; whereas now, the Dukes of Norfolk and Suffolk, the Marquis of Exeter, the Lord

The King's answer to them

Steward, the Earls of Oxford and Sussex, and the Lord Sands, were of the privy-council; and for the spirituality, the Archbishop of Canterbury, the Bishops of Winchester, Hereford, and Chichester, were also of it: and he and his whole council judging it necessary to have some at the board who understood the law of England, and the treaties with foreign princes; he had by their unanimous advice brought in his Chancellor and the Lord Privy-Seal. He thought it strange, that they, who were but brutes, should think they could better judge who should be his counsellors than himself and his whole council: therefore he would bear no such thing at their hands; it being inconsistent with the duty of good subjects to meddle in such matters. But if they, or any of his other subjects, could bring any just complaint against any about him, he was ready to hear it; and if it were proved, he would punish it according to law. As for the complaints against some of the prelates, for preaching against the faith, they could know none of these things but by the report of others; since they lived at such a distance, that they themselves had not heard any of them preach. Therefore he required them not to give credit to lies, nor be misled by those who spread such calumnies and ill reports: and he concluded all with a severe expostulation; adding, that such was his love to his subjects, that imputing this insurrection, rather to their folly and lightness, than to any malice or rancour, he was willing to pass it over more gently, as they would perceive by his proclamation."

Now the people were come to themselves again, and glad to get off so easily; and they all cheerfully accepted the King's offers, and went home again to their several dwellings. Yet the clergy were no way satisfied, but continued still to practise amongst them, and kept the rebellion still on foot; so that it broke out soon after. The Duke of Norfolk and the Earl of Shrewsbury, were ordered to lie still in the country with their forces, till all things were more fully composed. They made them all come to a full sub-

1537 The rebellion is quieted.

mission: and, first, To revoke all oaths and promises made during the rebellion, for which they asked the King's pardon on their knees. Secondly, To swear to be true to the King and his heirs and successors. Thirdly, To obey and maitnain all the acts of parliament made during the King's reign. Fourthly, Not to take arms again but by the King's authority. Fifthly, To apprehend all seditious persons. Sixthly, To remove all the monks, nuns, and friars, whom they had placed again in the dissolved monasteries. There were also orders given to send Ask, their captain, and the Lord Darcy, to court. Ask was kindly received, and well used by the King. He had shewed great conduct in commanding the rebels; and it seems the King had a mind, either to gain him to his service, or, which I suspect was the true cause, to draw from him a discovery of all those, who, in the other parts of the kingdom, had favoured or relieved them. For he suspected, not without cause, that some of the great abbots had given secret supplies of money to the rebels; for which many of them were afterwards tried and attainted. The Lord Darcy was under great apprehensions, and studied to purge himself, that he was forced to a compliance with them; but pleaded, that the long and important services he had done the crown for fifty years, he being then fourscore, together with his great age and infirmity, might mitigate the King's displeasure. But he was made prisoner. Whether this gave those who had been in arms new jealousies, that the King's pardon would not be inviolably observed; or whether the clergy had of new prevailed on them to rise in arms, I cannot determine; but it broke out again, though not so dangerously as before. Two gentlemen of the north, Musgrave and Tilby, raised a body of eight thousand men, and thought to have surprised Carlisle; but were repulsed by those within. And, in their return, the Duke of Norfolk fell upon them, and routed them. He took many prisoners, and by martial law hanged up all their captains, and seventy other prisoners on the walls of Carlisle. Others at that same time thought

New risings, but soon dispersed.

to have surprised Hull: but it was prevented, and the leaders of that party were also taken and executed.

Many other risings were in several places of the country, which were all soon repressed: the ground of them all was, that the parliament which was promised, was not called: but the King said, they had not kept conditions with him, nor would he call a parliament till all things were quieted. But the Duke of Norfolk's vigilance every where prevented their gathering together in any great body. And after several unsuccessful attempts, at length the country was absolutely quieted in January following. And then the Duke of Norfolk proceeded according to the martial law against many whom he had taken. Ask had also left the court without leave, and had gone amongst them, but was quickly taken. So he and many others were sent to several places, to be made public examples. He suffered at York, others at Hull, and in other towns in Yorkshire. But the Lord Darcy and the Lord Hussy were arraigned at Westminster, and attainted of treason; the former for the northern, and the other for the Lincolnshire insurrection. The Lord Darcy was beheaded at Tower-hill; and was much lamented. Every body thought, that, considering his merits, his age, his former services, he had hard measure. The Lord Hussy was beheaded at Lincoln. The Lord Darcy, in his trial, accused the Duke of Norfolk, that, in the treaty at Doncaster, he had encouraged the rebels to continue in their demands. This the Duke denied, and desired a trial by combat, and gave some presumptions to shew that the Lord Darcy bore him ill-will, and said this out of malice. The King either did not believe this, or would not seem to believe it; and the Duke's great diligence in the suppression of these commotions set him beyond all jealousies. But after those executions, the King wrote to the Duke in July next, to proclaim an absolute amnesty over all the north; which was received with great joy, every body being in fear of himself: and so this threatening storm was dissipated without the effusion of much blood, save what the sword of

The chief of the rebels executed

justice drew. At the same time the King of Scotland returning from France with his Queen, and touching on the coast of England, many of the people fell down at his feet, praying him to assist them, and he should have all. But he was, it seems, bound up by the French King: and so went home without giving them any encouragement. And thus ended this rebellion, which was chiefly carried on by the clergy under pretence of religion.

A new visitation of monasteries.

And now the King was delivered of all his apprehensions, that he had been in for some years, in fear of stirs at home. But, they being now happily composed, as he knew it would so overawe the rest of his discontented subjects, that he needed fear nothing from them for a great while; so it encouraged him to go on in his other designs of suppressing the rest of the monasteries, and reforming some other points of religion. Therefore there was a new visitation appointed for all the monasteries of England. And the visitors were ordered to examine all things that related either to their conversation, to their affection to the King, and the supremacy, or to their superstition in their several houses: to discover what cheats and impostures there were, either in their images, relics, or other miraculous things, by which they had drawn people to their houses on pilgrimages, and gotten from them any great presents. Also to try how they were affected during the late commotions, and to discover every thing that was amiss in them, and report it to the Lord Vicegerent. In the Records of the whole twenty-eighth year of the King's reign, I find but one original surrender of any religious house: the Abbot of Furnese in Lincolnshire, valued at 960 *lib.* with thirty monks, resigning up that house to the King on the 9th of April, which was very near the end of the year of the King's reign; for it commenced on the 22d of April. Two other surrenders are enrolled that year. The one was of Bermondsey in Surrey, the 1st of June, in the twenty-eighth of the King's reign. The preamble was, that they surrendered in hopes of greater benevolence from the King.

But this was the effect of some secret practice, and not of the act of parliament. For it was valued at 548 *lib.* and so fell not within the act. The other was of Bushlisham, or Bishtam, in Berkshire, made by Barlow, bishop of St. David's, that was commendator of it, and a great promoter of the Reformation. It was valued at 327 *lib.* But in the following year they made a quicker progress, and found strange enormities in the greater houses. It seems all the houses under 200 *lib.* of rent were not yet suppressed. For I find many within that value afterwards resigning their houses. So that I am inclined to believe, that the first visitation being made towards the suppression of the lesser monasteries, and that (as appears by their instructions) being not to be finished till they had made a report of what they had done to the court of Augmentations, who were after the report made to determine what pensions were to be reserved to the abbot and other officers; (which report was to be made in the octaves of St. Michael; and, after that, a new commission was to be given for their suppression;) when that was done, they went no further at that time. So that I cannot think there were many houses suppressed when these stirs began: and, after their first rising, it is not likely that great progress would be made in a business that was like to inflame the people more, and increase the number of the rebels. Neither do I find any houses suppressed by virtue of the former act of parliament till the twenty-ninth year of the King's reign.

1538 Some of the great abbots surrender their houses.

And yet they made no great haste this year. For there are but twenty-one surrenders all this year, either in the Rolls, or Augmentation Office. And now, not only small abbeys, but greater ones, were surrendered to the King. The abbots were brought to do it upon several motives. Some had been faulty during the late rebellion, and were liable to the King's displeasure: and these, to redeem themselves, compounded the matter by a resignation of their house. Others began to like the Reformation, and that made them the more willing to surrender their houses;

such as Barlow, bishop of St. David s, who not only surrendered up his own house of Bushlisham, but prevailed on many others to do the like. Others were convicted of great disorders in their conversation; and these, not daring to stand a trial, were glad to accept of a pension for life, and deliver up their house. Others were guilty of making great wastes and dilapidations. For they all saw the dissolution of their houses approaching, and so every one was induced to take all the care he could to provide for himself and his kindred: so that the visitors found in some of the richest abbeys of England, as St. Albans and Battel, such depredations made, that at St. Albans an abbot could not subsist any longer, the rents were so low; and in Battel, as all their furniture was old and torn, not worth 100 *lib.* so both in house and chapel they had not 400 marks' worth of plate. In other houses they found not above twelve or fifteen ounces of plate, and no furniture at all, but only such things as they could not embezzle; as the walls, and windows, bells, and lead. In other houses, the abbot and monks were glad to accept of a pension for themselves during life: and so being only concerned for their own particular interest, resigned their house to the King. Generally, the monks had eight marks a year pension, till they were provided for. The abbots' pensions were proportioned to the value of their house, and to their innocence. The Abbots of St. Albans and Tewksbury, had 400 marks a year a-piece. The Abbot of St. Edmundsbury was more innocent; for the visitors wrote from thence, that they could find no scandals in that house: so he (it seems) was not easily brought to resign his house, and had 500 marks pension reserved to him. And for their inferior officers, some had 30, some 10 or 8, and the lowest 6 *lib.* pension.

In other places, upon a vacancy, either by death or deprivation, they did put in an abbot only to resign up the house. For after the King's supremacy was established, all those abbots, that had been formerly confirmed by the Pope, were placed in this

manner. The King granted a *congé d'élire* to the prior and convent, with a missive letter, declaring the name of the person whom they should choose: then they returned an election to the King, who upon that gave his assent to it by a warrant under the great seal, which was certified to the Lord Vicegerent; who thereupon confirmed the election, and returned him back to the King, to take the oaths: upon which, the temporalities were restored. Thus all the abbots were now placed by the King, and were generally picked out to serve this turn. Others, in hope of advancement to bishopricks, or to be suffragan bishops, as the inferior sort of them were made generally, were glad to recommend themselves to the King's favour, by a quick and cheerful surrender of their monastery. Upon some of these inducements it was, that the greatest number of the religious houses were resigned to the King, before there was any act of parliament made for their suppression. In several houses, the visitors, who were generally either masters of chancery or auditors of the court of Augmentations, studied not only to bring them to resign their houses, but to sign confessions of their past lewd and dissolute lives. Of these, there is only one now extant, which (it is like) escaped the general razure and destruction of all papers of that kind in Queen Mary's time. But from the letters, that I have seen, I perceive there were such confessions made by many other houses. That confession of the Prior and Benedictines of St. Andrews in Northampton is to be seen in the Records of the Court of Augmentations: in which, with the most aggravating expressions that could be devised, they acknowledged their past ill life, "for which the pit of hell was ready to swallow them up. They confessed that they had neglected the worship of God, lived in idleness, gluttony, and sensuality;" with many other woful expressions to that purpose.

Confessions of horrid crimes made in several houses.

Other houses, as the monastery of Betlesden, resigned with this preamble; "That they did profoundly consider, that the manner and trade of living,

Collect. Numb 8. Sect. 4.

which they, and others of their pretended religion, had for a long time followed, consisted in some dumb ceremonies, and other constitutions of the bishops of Rome, and other foreign potentates, as the Abbot of Cisteaux; by which they were blindly led, having no true knowledge of God's laws; procuring exemptions from their ordinary and diocesan, by the power of the Bishop of Rome, and submitting themselves wholly to a foreign power, who never came hither to reform their abuses, which were now found among them. But that now, knowing the most perfect way of living is sufficiently declared by Christ and his apostles; and that it was most fit for them to be governed by the King, who was their supreme head on earth; they submitted themselves to his mercy, and surrendered up their monastery to him on the 25th of September, in the thirtieth year of his reign." This writing was signed by the Abbot, the Sub-prior, and nine monks. There are five other surrenders to the same purpose; by the Gray and White friars of Stamford, the Gray friars of Coventry, Bedford, and Aylesbury, yet to be seen. Some are resigned upon this preamble, "That they hoped the King would of new found their house; which was otherwise like to be ruined, both in spirituals and temporals." So did the Abbot of Chertsey in Surrey, with fourteen monks, on the 14th of July, in the twenty-ninth year of this reign; whose house was valued at 744 *lib.* I have reason to think that this Abbot was for the Reformation, and intended to have had his house new founded, to be a house of true and well regulated devotion: and so I find the Prior of Great Malverine in Worcestershire offered such a resignation. He was recommended by Bishop Latimer to Cromwell, with an earnest desire that his house might stand, "not in monkery, but so as to be converted to preaching, study, and prayer." And the good Prior was willing to compound for his house by a present of 500 marks to the King, and of 200 to Cromwell. He is commended for being an old worthy man, a good housekeeper, and one that daily fed many poor people. To this Latimer adds: "Alas,

my good Lord! shall we not see two or three in every shire changed to such remedy?"

But the resolution was taken once to extirpate all. And therefore, though the visitors interceded earnestly for one nunnery in Oxfordshire, Godstow, where there was great strictness of life; and to which most of the young gentlewomen of the county were sent to be bred; so that the gentry of the country desired the King would spare the house; yet all was ineffectual.

The general form, in which most of these resignations begins, is, "That the abbot and brethren, upon full deliberation, certain knowledge of their own proper motion, for certain just and reasonable causes, specially moving them in their souls and consciences, did freely, and of their own accord, give and grant their houses to the King." Others, it seems, did not so well like this preamble; and therefore did, without any reason or preamble, give away their houses to the visitors, as feoffees in trust for the King's use. And thus they went on, procuring daily more surrenders. So that in the thirtieth year of the King's reign there were one hundred and fifty-nine resignations enrolled, of which the originals of one hundred and fifty-five do yet remain. And for the reader's further satisfaction, he shall find, in the Collection at the end of this Book, the names of all those houses so surrendered, with other particulars relating to them, which would too much weary him, if inserted in the thread of this work. But there was no law to force any to make such resignations. So that many of the great abbots would not comply with the King in this matter, and stood it out till after the following parliament, that was in the thirty-first year of his reign.

The form of most surrenders. Collect Numb 3. Sect. 1

Collect. Numb 1 Sect 1

It was questioned by many, whether these surrenders could be good in law, since the abbots were but trustees and tenants for life. It was thought they could not absolutely alienate and give away their house for ever. But the parliament afterwards declared the resignations were good in law: for, by their foundations, all was trusted to the abbot and the senior brethren of the house; who putting the covent-seal to

Divers opinions about these

any deed, it was of force in law. It was also said, that they, thus surrendering, had forfeited their charters and foundations; and so the King might seize and possess them with a good title, if not upon the resignation, yet upon forfeiture. But others thought, that, whatsoever the nicety of law might give the King, yet there was no sort of equity in it, that a few trustees, who were either bribed, or frightened, should pass away that which was none of their's, but only given them in trust and for life. Other abbots were more roughly handled. The Prior of Wooburn was suspected of favouring the rebels, of being against the King's supremacy and for the Pope's, and of being for the general council then summoned to Mantua. And he was dealt with to make a submission and acknowledgment. In an account of a long conference which he had with a privy-counsellor, under his own hand, I find that the great thing which he took offence at, was, that Latimer and some other bishops preached against the veneration of the blessed Virgin, and the other saints: and that the English Bible, then set out, differed in many things from the Latin: with several lesser matters. So that they looked on their religion as changed, and wondered that the judgments of God upon Queen Anne had not terrified others from going on to subvert the faith: yet he was prevailed with, and did again submit to the King, and acknowledge his supremacy; but he afterwards joined himself to the rebels, and was taken with them, together with the Abbot of Whaley, and two monks of his house; and the Abbot of Gervaux, with a monk of his house; and the Abbot of Sawley, in Lancashire, with the Prior of that house; and the Prior of Burlington; who were all attainted of high treason, and executed. The Abbots of Glastenbury and Reading were men of great power and wealth: the one was rated at 3508 *lib.* and the other at 2116 *lib.* They, seeing the storm like to break out on themselves, sent a great deal of the plate and money that they had in their house to the rebels in the north; which being afterwards discovered, they were attainted of high treason

Some abbots attainted of treason.

a year after this; but I mention it here for the affinity of the matter. Further particulars about the Abbot of Reading I have not yet discovered. But there is an account given to Cromwell of the proceedings against the Abbot of Glastenbury in two letters which I have seen: the one was writ by the Sheriff of the county; the other by Sir John Russell, who was present at his trial, and was reputed a man of as great integrity and virtue as any in that time; which he seems to have left as an inheritance to that noble family that has descended from him. These inform, that he was indicted of burglary, as well as treason, for having broken the house in his monastery where the plate was kept, and taken it out; which, as Sir William Thomas says, was sent to the rebels. The evidence being brought to the jury, who (as Sir John Russell writes) were as good and worthy men as had ever been on any jury in that county, they found him guilty. He was carried to the place of execution, near his own monastery; where (as the Sheriff writes) he acknowledged his guilt, and begged God and the King pardon for it. The Abbot of Colchester was also attainted of high treason. What the particulars were I cannot tell; for the record of their attainders is lost. But some of our own writers deserve a severe censure, who write, it was for denying the King's supremacy; whereas, if they had not undertaken to write the history without any information at all, they must have seen that the whole clergy, but most particularly the Abbots, had over and over again acknowledged the King's supremacy.

For clearing which and discovering the impudence of Sanders's relation of this matter, I shall lay before the reader the evidences that I find of the submission of these and all the other abbots to the King's supremacy. First, in the convocation, in the twenty-second year of this reign, they all acknowledged the King supreme head of the church of England. They did also swear to maintain the act of the succession of the crown, made in the twenty-fifth year of his reign, in which the Pope's power was plainly condemned.

For, in the proceedings against More and Fisher, it was frequently repeated to them, that all the clergy had sworn it. It is also entered in the Journal of the House of Lords, that all the members of both Houses swore it at their breaking up; and the same Journals inform us, that the Abbots of Colchester and Reading sat in that parliament; and as there was no protestation made against any of the acts passed in that session, so it is often entered, that the acts were agreed to by the unanimous consent of the Lords. It appears also by several original letters, that the heads of all the religious houses in England had signed that position, "That the Pope had no more jurisdiction in this kingdom than any foreign bishop whatsoever:" and it was rejected by none but some Carthusians, and Franciscans of the Observance, who were proceeded against for refusing to acknowledge it: when they were so pressed in it, none can imagine that a parliamentary Abbot would have been dispensed with. And in the last parliament, in which the second oath about the succession to the crown was enacted, it was added, that they should also swear the King to be supreme head of the church. The Abbots of Glastenbury and Reading were then present, as appears by the Journals, and consented to it: so little reason there is for imagining that they refused that, or any other compliance that might secure them in their abbeys.

In particular, the Abbot of Reading had so got into Cromwell's good opinion, that in some differences between him and Shaxton, bishop of Salisbury, that was Cromwell's creature, he had the better of the Bishop. Upon which Shaxton, who was a proud ill-natured man, wrote a high expostulating letter to Cromwell, "complaining of an injunction he had granted against him at the Abbot's desire. He also shewed him that in some contests between him and his residentiaries, and between him and the Mayor of Salisbury, Cromwell was always against him: he likewise challenged him for not answering his letters. He tells him, God will judge him for abusing his power as he did; he prays God to have pity on him, and to turn his heart;"

with a great deal more provoking language. He also adds many insolent praises of himself; and his whole letter is as extravagant a piece of vanity and insolence as ever I saw. To this Cromwell wrote an answer, that shews him to have been indeed a great man: the reader will find it in the Collection, and see from it how modestly and discreetly he carried his greatness. Collect. Numb 6.

But how justly soever these abbots were attainted, the seizing on their abbey lands, pursuant to those attainders, was thought a great stretch of law; since the offence of an ecclesiastical incumbent is a personal thing, and cannot prejudice the church, no more than a secular man, who is in office, does, by being attainted, bring any diminution of the rights of his office on his successors. It is true there were some words cast into the thirteenth act of the parliament, in the twenty-sixth year of this reign, by which divers offences were made treason, that seemed to have been designed for such a purpose. The words are, that whatsoever lands any traitor had "of any estate of inheritance in use or possession, by any right, title, or means," should be forfeited to the King. By which, as it is certain, estates in tail were comprehended, so the lands that any traitor had in possession or use seem to be included; and that the rather, because by some following words their heirs and successors are for ever excluded. This either was not thought on when the Bishop of Rochester was attainted, or perhaps was not claimed, since the King intended not to lessen the number of bishopricks, but rather to increase them. Besides, the words of the statute seem only to belong to an "estate of inheritance;" within which, church-benefices could not be included, without a great force put upon them. It is true, the word "successor" favoured these seizures; except that be thought an expletory word put in out of form, but still to be limited to an estate of inheritance: that word does also import that such criminals might have successors. But if the whole abbey was forfeited, these abbots could have no successors. Yet it seems the seizures of these abbeys were founded on that statute,

and this stretch of the law occasioned that explanation which was added of the words "estate of inheritance," in the statute made in Edward the Sixth's reign about treasons, where it is expressed, that traitors should forfeit to the crown what lands they had of any "estate of inheritance;" to which is added, "in their own right;" it seems, on design to cut off all pretence for such proceedings for the future, as had been in this reign. But if there were any illegality in these seizures, the following parliament did at least tacitly justify them: for they excepted out of the provisos made concerning the abbeys that were suppressed, such as had been "forfeited and seized on by any attainders of treason."

Another surrender is not unlike these, but rather less justifiable. Many of the Carthusian monks of London were executed for their open denying of the King's supremacy, and for receiving books from foreign parts against his marriage, and other proceedings; divers also of the same house, that favoured them, but so secretly, that clear proof could not be found to convict them, were kept prisoners in their cells till they died. But the Prior was a worthy man, of whom, Thomas Bedyl, one of the visitors, writes, that "he was a man of such charity that he had not seen the like, and that the eyes of the people were much on that house; and therefore he advised, that the house might be converted to some good use." But the Prior was made to resign, with this preamble, "That many of that house had offended the King, so that their goods might be justly confiscated, and themselves adjudged to a severe death: which they desired to avoid, by a humble submission and surrender of their house to the King." But there were great complaints made of the visitors, as if they had practised with the abbots and priors to make these surrenders; and that they had conspired with them to cheat the King, and had privately embezzled most of the plate and furniture. The Abbess of Cheapstow complained in particular of Dr. London, one of the visitors, that he had been corrupting her nuns; and generally it

was cried out on, that underhand and ill practices were used. Therefore, to quiet these reports, and to give some colour to justify what they were about, all the foul stories that could be found out were published to defame these houses. Battel Abbey was represented to be a little Sodom; so was Christ Church in Canterbury, with several other houses. But for whoredom and adultery they found instances without number; and of many other unnatural practices and secret lusts, with arts to hinder conceptions and make abortions. But no story became so public as a discovery made of the Prior of the Crossed friars in London; who, on a Friday, at eleven o'clock in the day, was found in bed with a whore: he fell down on his knees, and prayed those who surprised him not to publish his shame; but they had a mind to make some advantage by it, and asked him money. He gave them 30 *lib.* which he protested was all he had, but he promised them 30 *lib.* more; yet, failing in the payment, a suit followed on it; and in a bill which I have seen, given to Cromwell, then master of the rolls, the case is related.

The impertinent and cheats of these houses discovered.

But all stories of this kind served only to disgrace those abbots or monks that were so faulty. And the people generally said these were personal crimes which ought to be punished; but they were no way satisfied with the justice of the King's proceedings against whole houses for the faults of a few. Therefore another way was thought on, which indeed proved more effectual, both for recovering the people out of the superstitious fondness they had for their images and relics, and for discovering the secret impostures that had been long practised in these houses. And this was, to order the visitors to examine well all the relics, and feigned images, to which pilgrimages were wont to be made. In this, Dr. London did great service. From Reading he writes, "That the chief relics of idolatry in the nation were there: an angel with one wing, that brought over the spear's head that pierced our Saviour's side. To which he adds a long inventory of their other

relics, and says, there were as many more as would fill four sheets of paper. He also writes from other places that he had every where taken down their images and trinkets." At St. Edmundsbury, as John ap Rice informed, they found some of the coals that roasted St. Lawrence, the parings of St. Edmund's toes, St. Thomas Becket's penknife and boots, with as many pieces of the cross of our Saviour, as would make a large whole cross. They had also relics against rain, and for hindering weeds to spring. But to pursue this further were endless, the relics were so innumerable. And the value which the people had of them may be gathered from this; that a piece of St. Andrew's finger, set in an ounce of silver, was laid to pledge by the house of Wastacre for 40 *lib.* but the visitors, when they suppressed that house, did not think fit to redeem it at so high a rate.

Images publicly broken.

For their images, some of them were brought to London, and were there, at St. Paul's Cross, in the sight of all the people, broken; that they might be fully convinced of the juggling impostures of the monks. And in particular, the crucifix of Boxley in Kent, commonly called the "rood of grace;" to which many pilgrimages had been made, because it was observed sometimes to bow, and to lift itself up, to shake and to stir head, hands, and feet, to roll the eyes, move the lips, and bend the brows; all which were looked on by the abused multitude as the effects of a Divine power. These were now publicly discovered to have been cheats; for the springs were shewed by which all these motions were made. Upon which John Hilsey, then bishop of Rochester, made a sermon, and broke the rood in pieces. There was also another famous imposture discovered at Hales in Gloucestershire; where the blood of Christ was shewed in a vial of crystal, which the people sometimes saw, but sometimes they could not see it:

Pelerine Inglese

so they were made believe, that they were not capable of so signal a favour, as long as they were in mortal sin; and so they continued to make presents till they bribed Heaven to give them the sight of so

blessed a relic. This was now discovered to have been the blood of a duck, which they renewed every week: and the one side of the vial was so thick that there was no seeing through it, but the other was clear and transparent; and it was so placed near the altar, that one in a secret place behind could turn either side of it outward. So when they had drained the pilgrims that came thither of all they had brought with them, then they afforded them the favour of turning the clear side outward; who upon that went home very well satisfied with their journey and the expense they had been at. There was brought out of Wales a huge image of wood, called Darvel Gatheren, of which one Ellis Price, visitor of the diocese of St. Asaph, gave this account, on the 6th of April, 1537: "That the people of the country had a great superstition for it, and many pilgrimages were made to it; so that, the day before he wrote, there were reckoned to be above five or six hundred pilgrims there: some brought oxen and cattle, and some brought money; and it was generally believed that if any offered to that image, he had power to deliver his soul from hell." So it was ordered to be brought to London, where it served for fuel to burn Friar Forest. There was a huge image of our Lady at Worcester, that was had in great reverence; which, when it was stripped of some veils that covered it, was found to be the statue of a bishop.

Barlow, bishop of St. David's, did also give many advertisements of the superstition of his country, and of the clergy and monks of that diocese, who were guilty of heathenish idolatry, gross impiety and ignorance, and of abusing the people with many evident forgeries; about which, he said, he had good evidence when it should be called for. But that which drew most pilgrims and presents in those parts, was an image of our Lady with a taper in her hand; which was believed to have burnt nine years, till one forswearing himself upon it, it went out; and was then much reverenced and worshipped. He found all about the cathedral so full of superstitious conceits,

that there was no hope of working on them; therefore he proposed the translating the episcopal seat from St. David's to Caermarthen; which he pressed by many arguments, and in several letters, but with no success. Then many rich shrines of our Lady of Walsingham, of Ipswich, and Islington, with a great many more, were brought up to London, and burnt by Cromwell's orders.

Thomas Becket's shrine broken

But the richest shrine of England was that of Thomas Becket, called St. Thomas of Canterbury, the martyr, who, being raised up by King Henry II. to the archbishoprick of Canterbury, did afterwards give that King much trouble, by opposing his authority, and exalting the Pope's. And though he once consented to the articles agreed on at Clarendon, for bearing down the papal, and securing the regal power, yet he soon after repented of that only piece of loyalty of which he was guilty all the while he was archbishop. He fled to the Pope, who received him as a confessor for the dearest article of the Roman belief: the King and kingdoms were excommunicated, and put under an interdict upon his account. But afterwards, upon the intercession of the French King, King Henry and he were reconciled, and the interdict was taken off. Yet his unquiet spirit could take no rest; for he was no sooner at Canterbury than he began to embroil the kingdom again: and was proceeding by censures against the Archbishop of York, and some other bishops, for crowning the King's son in his absence. Upon the news of that, the King being then in Normandy, said, "If he had faithful servants he would not be so troubled with such a priest;" whereupon some zealous or officious courtiers came over and killed him: for which, as the King was made to undergo a severe penance, so the monks were not wanting in their ordinary arts to give out many miraculous stories concerning his blood. This soon drew a canonization from Rome; and he, being a martyr for the papacy, was more extolled than all the apostles or primitive saints had ever been. So that, for three hundred years, he was

accounted one of the greatest saints in heaven, as may appear from the accounts in the ledger-books of the offerings made to the three greatest altars in Christ's church in Canterbury. The one was to Christ, the other to the Virgin, and the third to St. Thomas. In one year there was offered at Christ's altar, 3*l.* 2*s.* 6*d.*; to the Virgin's altar, 63*l.* 5*s.* 6*d.*; but to St. Thomas's altar, 832*l.* 12*s.* 3*d.* But the next year the odds grew greater; for there was not a penny offered at Christ's altar, and at the Virgin's only 4*l.* 1*s.* 8*d.*; but at St. Thomas's, 954*l.* 6*s.* 3*d.* By such offerings it came, that his shrine was of inestimable value. There was one stone offered there by Lewis VII. of France, who came over to visit it in a pilgrimage, that was believed the richest in Europe. Nor did they think it enough to give him one day in the calendar, the 29th of December; but unusual honours were devised for this martyr of the liberties of the church, greater than any that had been given to the martyrs for Christianity. The day of raising his body, or, as they called it, of his translation, being the 7th of July, was not only a holy-day, but every fiftieth year there was a jubilee for fifteen days together, and indulgence was granted to all that came to visit his shrine: as appears from the record of the sixth jubilee after his translation, anno 1420; which bears, that there were then about a hundred thousand strangers come to visit his tomb. The jubilee began at twelve o'clock on the vigil of the feast, and lasted fifteen days. By such arts they drew an incredible deal of wealth to his shrine. The riches of that, together with his disloyal practices, made the King resolve both to unshrine and unsaint him at once. And then his skull, which had been much worshipped, was found an imposture. For the true skull was lying with the rest of his bones in his grave. The shrine was broken down, and carried away; the gold that was about it filling two chests, which were so heavy that they were a load to eight strong men to carry them out of the church. And his bones were, as some say, burnt; so it was understood at Rome: but others say, they were so mixed

Somner's Antiquities of Canterbury.

with other dead bones, that it would have been a miracle indeed to have distinguished them afterwards. The King also ordered his name to be struck out of the calendar, and the office for his festivity to be dashed out of all breviaries. And thus was the superstition of England to images and relics extirpated.

Yet the King took care to qualify the distaste which the articles published the former year had given. And published. though there was no parliament in the year 1537, yet there was a commission; upon the conclusion of which, there was printed an explanation of the chief points of religion, signed by both the archbishops, seventeen bishops, eight archdeacons, and seventeen doctors of divinity and law. In which there was an exposition of the Creed, the seven Sacraments, the Ten Commandments, the Lord's Prayer, and the salutation of the Virgin, with an account of justification and purgatory. But this work was put in a better form afterwards, where the reader will find a more particular account of it. When all these proceedings of the King's were known at Rome, all the satirical pens there were employed to paint him out as the most infamous sacrilegious tyrant that ever was. They represented him as one that made war with heaven and the saints that were there: that committed outrages on the bodies of the saints, which the heathenish Romans would have punished severely upon any that committed the like on those that were dead, how mean or bad soever they had been. All his proceedings against the priests or monks that were attainted and executed for high treason, were represented as the effects of savage and barbarous cruelty. His suppressing the monasteries, and devouring what the devotion of former ages had consecrated to God and his saints, was called ravenous and impious sacrilege; nor was there any thing omitted that could make him appear to posterity the blackest tyrant that ever wore a crown. They compared him to Pharaoh, Nebuchadonosor, Belshazzar, Nero, Domitian, and Diocletian; but chiefly to Julian the apostate. This last parallel liked them best; and his learning, his apostacy, and pretence of re-

Invectives against the King printed at Rome.

forming, were all thought copied from Julian; only they said his manners were worse. These things were every day printed at Rome, and the informations that were brought out of England were generally addressed to Cardinal Pole, whose style was also known in some of them: all which possessed the King with the deepest and most implacable hatred to him that ever he bore to any person; and did provoke him to all those severities that followed on his kindred and family.

But the malice of the court of Rome did not stop there. For now the Pope published all those thunders which he had threatened three years before. The bull of deposition is printed in Cherubin's *Bulla rerum Romanarum;* which, since many have the confidence to deny matters of fact, though most publicly acted, shall be found in the Collection of Papers. The substance of it is as follows: "The Pope, being God's vicar on earth, and according to Jeremy's prophecy, set over nations and kingdoms, 'to root out and destroy;' and having 'the supreme power over all the kings in the whole world;' was bound to proceed to due correction, when milder courses were ineffectual: therefore, since King Henry, who had been formerly a defender of the faith, had fallen from it; had, contrary to an inhibition made, put away his Queen, and married one Anne Boleyn, and had made impious and hurtful laws, denying the Pope to be the supreme head of the church, but assuming that title to himself; and had required all his subjects under pain of death to swear it; and had put the Cardinal of Rochester to death, because he would not consent to these heresies; and by all these things had rendered himself unworthy of his regal dignity; and had hardened his heart (as Pharaoh did) against all the admonitions of Pope Clement VII.: therefore, since these his crimes were so notorious, he, in imitation of what the apostle did to Elymas the magician, proceeds to such censures as he had deserved; and, with the advice of his cardinals, does first exhort him and all his complices to return from their errors, to

Collect Numb 9 The Pope's bulls against the King

annul the acts lately made, and to proceed no farther upon them: which he requires him and them to do, under the pains of excommunication and rebellion, and of the King's losing his kingdom; whom he required within ninety days to appear at Rome, by himself or proxy, and his complices within sixty days, to give an account of their actions; otherwise he would then proceed to a further sentence against them. And declares, that if the King and his complices do not appear, he has fallen from the right to his crown, and they from the right to their estates; and when they die, they were to be denied Christian burial. He puts the whole kingdom under an interdict; and declares all the King's children by the said Anne, and the children of all his complices, to be under the same pains, though they be now under age, and incapacitates them for all honours or employments; and declares all the subjects or vassals of the King or his complices, absolved from all oaths or obligations to them, and requires them to acknowledge them no more. And declares him and them infamous, so that they might neither be witnesses nor make wills. He requires all other persons to have no dealings with him or them, neither by trading, nor any other way, under the pain of excommunication; the annulling their contracts, and the exposing goods so traded in, to all that should catch them. And that all clergymen should, within five days after the expiration of the time prefixed, go out of the kingdom, (leaving only so many priests as would be necessary for baptizing infants, and giving the sacrament to such as died in penitence,) under the pains of excommunication and deprivation. And charges all noblemen and others in his dominions, under the same pains, to rise up in arms against him, and to drive him out of his kingdom; and that none should take arms for him, or any way assist him: and declares all other princes absolved from any confederacies made, or to be made, with him; and earnestly obtests the emperor and all kings, and requires other princes, under the former pains, to trade no more with him; and in case of

their disobedience, he puts their kingdoms under an interdict. And requires all princes and military persons, in the virtue of holy obedience, to make war upon him, and to force him to return to the obedience of the apostolic see; and to seize on all goods or merchandizes belonging to the King or his complices, wherever they could find them; and that such of his subjects that were seized on, should be made slaves. And requires all bishops, three days after the time that was set down was elasped, to intimate this sentence, in all their churches with putting out of candles, and other ceremonies that ought to be used, in the most solemn and public manner that might be. And all who hindered the publication of this sentence, are put under the same pains. He ordained this sentence to be affixed at Rome, Tournay, and Dunkirk, which should stand for a sufficient publication; and concludes, that if any should endeavour to oppose, or enervate any of the premises, he should incur the indignation of Almighty God, and the holy apostles, St. Peter and Paul. Dated at Rome the 30th of August, 1535." But the Pope found the princes of Christendom liked the precedent, of using a King in that manner so ill, that he suspended the execution of this bull till this time, that the suppression of abbeys, and the burning of Thomas Becket's bones, did so inflame the Pope, that he could forbear no longer; and therefore, by a new sentence, he did all he could to shake him in his throne.

The preamble of it was, "That as our Saviour had pity on St. Peter after his fall, so it became St. Peter's successors to imitate our Saviour in his clemency; and that therefore, though he, having heard of King Henry's crimes, had proceeded to a sentence against him, (here the former bull was recited,) yet some other princes who hoped he might be reclaimed by gentler methods, had interposed for a suspension of the sentence: and he, being easy to believe what he so earnestly desired, had upon their intercession suspended it. But now he found they had been deceived in their hopes, and that he grew worse and worse;

and had done such dishonour to the saints, as to raise St. Thomas of Canterbury's body, to arraign him of high treason, and to burn his body, and sacrilegiously to rob the riches that had been offered to his shrine: as also to suppress St. Austin's Abbey in Canterbury; and that, having thrust out the monks, he had put in wild beasts into their grounds, having transformed himself into a beast. Therefore he takes off the suspension, and publishes the bull, commanding it to be executed; declaring that the affixing it at Dieppe or Bulloign in France, at St. Andrews or Callistren (that is, Callstream, a town near the border of England) in Scotland, or Tuam or Artifert in Ireland, or any two of these, should be a sufficient publication. Dated the 17th of December, anno Dom. 1538."

No man can read these bulls, but he must conclude, that if the pope be the infallible and universal pastor of the church, whom all are bound to obey, he has a full authority over all kings, to proceed to the highest censures possible: and since the matters of fact, enumerated in the sentence as the grounds of it, were certainly true, then the Pope is either clothed with the power of deposing princes; or, if otherwise, he lied to the world when he pretended to it thus, and taught false doctrine, which cannot stand with infallibility: and the pretended grounds of the sentence, as to matter of fact, being evidently true, this must be a just sentence; and therefore all that acknowledged the infallibility of that see were bound to obey it; and all the rebellions that followed, during the reign of the King or his children, were founded on this sentence, and must be justified by it; otherwise the Pope's infallibility must fall to the ground. But this was to be said for the Pope—that though he had raised the several branches of this sentence higher than any of his predecessors had ever done; yet, as to the main, he had very good and authentic precedents for what he did, from the depositions of emperors or kings, that were made by former popes, for about five hundred years together. This I thought needful to be more fully opened, because of the pre-

sent circumstances we are now in; since hereby every one that will consider things, must needs see, that the belief of the Pope's infallibility does necessarily infer the acknowledgment of their power of deposing heretical kings. For it is plain, the pope did this *ex cathedra*, and as a pastor feeding and correcting his flock.

But, not content with this, he also wrote to other princes, inflaming them against the King; particularly to the kings of France and Scotland. To the last of these he sent a breve; declaring King Henry a heretic, a schismatic, a manifest adulterer, a public murderer, a rebel, and convict of high treason against him, the Pope, his lord; for which crimes he had deposed him, and offered his dominions to him, if he would go and invade them. And thus the breach between him and the Pope was past reconciling; and at Rome it was declared equally meritorious to fight against him, as against the Turk. But Cardinal Pole made it more meritorious in his book. Yet the thunders of the Vatican had now lost their force; so that these had no other effect but to enrage the King more against all such as were suspected to favour their interests, or to hold any correspondence with Cardinal Pole. Therefore he first procured a declaration against the Pope's pretensions, to be signed by all the bishops of England. in which, after they declared against the Pope's ecclesiastical jurisdiction, upon the grounds formerly touched, they concluded, "That the people ought to be instructed, that Christ did expressly forbid his apostles, or their successors, to take to themselves the power of the sword, or the authority of kings. And that, if the Bishop of Rome, or any other bishop, assumed any such power, he was a tyrant and usurper of other men's rights, and a subverter of the kingdom of Christ." This was subscribed by nineteen bishops, (all that were then in England,) and twenty-five doctors of divinity and law. It was at some time before May, 1538: for Edward Fox, bishop of Hereford, who was one that signed it, died the 8th of May that year. There was no convocation called by writ for doing this: for as there is no men-

Lesley, Hist. Scot.

The clergy in England declared against these

tion of any such writ in the registers, so, if it had been done by convocation, Cromwell had signed it first; but his hand not being at it, it is more probable that a meeting of the clergy was called by the King's missive letters; or that, as was once done before, the paper was drawn at London, and sent over the kingdom, to the episcopal sees, for the bishops' hands to it.

Collect. Numb 10. There is another original paper extant, signed at this time by eight bishops: from which I conjecture, those were all that were then about London. It was to shew, "That, by the commission which Christ gave to churchmen, they were only ministers of his gospel, to instruct the people in the purity of the faith: but that by other places of Scripture, the authority of Christian princes over all their subjects, as well bishops and priests as others, was also clear. And that the bishops and priests have charge of souls within their cures, power to administer sacraments, and to teach the word of God: to the which word of God, Christian princes acknowledge themselves subject; and that, in case the bishops be negligent, it is the Christian princes' office to see them do their duty." This being signed by John Hilsey, bishop of Rochester, must be after the year 1537, in which he was consecrated; and Latimer and Shaxton also signing, it must be before the year 1539, in which they resigned. But I believe it was signed at the same time that the other was: and the design of it was to refute those calumnies spread at Rome, as if the King had wholly suppressed all ecclesiastical offices, and denied them any Divine authority, making them wholly dependent on the civil power, and acting by commission only from him. And therefore they explained the limits of both these powers, in so clear and moderate a way, that it must have stopped the mouth of all opposers. But whether there was any public use made of this paper, I can by no means discover.*

The Bible printed in English. The King did also set forward the printing of the English Bible, which was finished this year, at London, by Grafton the printer, who printed one thou-

* See *addenda* at the end of the volume.—N.

sand five hundred of them at his own charge. This Bible Cromwell presented to the King, and procured his warrant, allowing all his subjects in all his dominions to read it, without control or hazard. For which the Archbishop wrote Cromwell a letter of most hearty thanks, dated the 13th of August: "Who did now rejoice that he saw this day of reformation, which he concluded was now risen in England, since the light of God's word did shine over it without any cloud." The translation had been sent over to France to be printed at Paris, the workmen in England not being judged able to do it as it ought to be. Therefore, in the year 1537, it was recommended to Bonner's care, who was then ambassador at Paris, and was much in Cromwell's favour, who was setting him up against Gardiner. He procured the King of France's leave to print it at Paris, in a large volume; but, upon a complaint made by the French clergy, the press was stopped, and most of the copies were seized on and publicly burnt; but some copies were conveyed out of the way, and the workmen and forms were brought over to England; where it was now finished and published. And injunctions were given out in the King's name, by Cromwell, to all incumbents, "to provide one of these Bibles, and set it up publicly in the church, and not to hinder or discourage the reading of it, but to encourage all persons to peruse it, as being the true lively word of God, which every Christian ought to believe, embrace, and follow, if he expected to be saved. And all were exhorted, not to make contests about the exposition or sense of any difficult place, but to refer that to men of higher judgment in the Scriptures. Then some other rules were added, about the instructing the people in the principles of religion, by teaching the Creed, the Lord's Prayer, and Ten Commandments in English: and that in every church there should be a sermon, made every quarter of a year, at least, to declare to the people the true gospel of Christ, and to exhort them to the works of charity, mercy, and faith; and not to trust in other men's works, or pil-

New injunctions set out by the King Collect Numb 11

grimages to images, or relics, or saying over beads, which they did not understand; since these things tended to idolatry and superstition, which of all offences did most provoke God's indignation. They were to take down all images, which were abused by pilgrimages, or offerings made to them, and to suffer no candles to be set before any image: only there might be candles before the cross, and before the sacrament, and about the sepulchre: and they were to instruct the people, that images served only as the books of the unlearned, to be remembrances of the conversations of them whom they represented; but if they made any other use of images, it was idolatry: for remedying whereof, as the King had already done in part, so he intended to do more for the abolishing such images, which might be a great offence to God, and a danger to the souls of his subjects. And if any of them had formerly magnified such images, or pilgrimages, to such purposes, they were ordered openly to recant, and acknowledge, that in saying such things they had been led by no ground in Scripture; but were deceived by a vulgar error, which had crept into the church through the avarice of those who had profit by it. They were also to discover all such as were letters of the reading of God's word in English, or hindered the execution of these injunctions. Then followed orders for keeping of registers in their parishes: for reading all the King's injunctions once every quarter at least: that none were to alter any of the holy-days without directions from the King: and all the eves of the holy-days formerly abrogated, were declared to be no fasting-days: the commemoration of Thomas Becket was to be clean omitted: the kneeling for the Ave's after sermon was also forbidden, which were said in hope to obtain the Pope's pardon. And whereas in their processions they used to say so many suffrages, with an *ora pro nobis* to the saints, by which they had not time to say the suffrages to God himself, they were to teach the people, that it were better to omit the *ora pro nobis*, and to sing the other suffrages, which were most necessary and most effectual."

These injunctions struck at three main points of popery: containing encouragements to the vulgar to read the Scriptures in a known tongue, and putting down all worship of images, and leaving it free for any curate to leave out the suffrages to the saints. So that they were looked on as a deadly blow to that religion. But now those of that party did so artificially comply with the King, that no advantages could be found against any of them for their disobedience. The King was master at home, and no more to be disobeyed. He had not only broken the rebellion of his own subjects, and secured himself by alliance from the dangers threatened him by the Pope; but all their expectations from the Lady Mary were now clouded: for, on the 12th of October, 1537, Queen Jane had born him a son, who was christened Edward; the Archbishop of Canterbury being one of his godfathers. This very much encouraged all that were for reformation, and disheartened those who were against it. But the joy for this young Prince was qualified by the Queen's death, two days after;* which afflicted the King very much: for of all his wives, she was the dearest to him. And his grief for that loss is given as the reason, why he continued two years a widower. But others thought he had not so much tenderness in his nature, as to be much or long troubled for any thing. Therefore the slowness of his marrying was ascribed to some reasons of state. But the birth of the Prince was a great disappointment to all those whose hopes rested on the Lady Mary's succeeding her father: therefore they submitted themselves with more than ordinary compliance to the King.

Prince Edward born.

Gardiner was as busy as any in declaiming against the religious houses; and took occasion in many of his sermons to commend the King for suppressing them. The Archbishop of York had recovered himself at court: and I do not find that he interposed in the suppression of any of the religious houses, except Hexham, about which he wrote to Cromwell, that it

Great compliances by the Popish party.

* See below, vol. ii. p. 1, note.—It is probable that the Queen survived the birth of the Prince, as many as twelve days.—N.

was a great sanctuary when the Scots made inroads: and so he thought that the continuing of it might be of great use to the King. He added in that letter, "That he did carefully silence all the preachers of novelties. But some of these boasted, that they would shortly have licenses from the King, as he heard they had already from the Archbishop of Canterbury; but he desired Cromwell to prevent that mischief." This is all that I find of him.

There is a pardon granted to Stokesley, bishop of London, on the 3d of July, in the thirtieth year of his reign, being this year, for having acted by commission from Rome, and sued out bulls from thence. If these crimes were done before the separation from Rome, they were remitted by the general pardon. If he took a particular pardon, it seems strange that it was not enrolled till now. But I am apt to believe it was rather the omission of a clerk, than his being guilty of such a transgression about this time; for I see no cause to think the King would have pardoned such a crime in a bishop in those days. All that party had now, by their compliance and submission, gained so much on the King, that he began to turn more to their counsels than he had done of late years. Gardiner was returned from France, where he had been ambassador for some years: he had been also in the Emperor's court, and there were violent presumptions that he had secretly reconciled himself to the Pope, and entered into a correspondence with him. For one of the legate's servants discoursed of it at Ratisbone, to one of Sir Henry Knevet's retinue (who was joined in the embassy with Gardiner), whom he took to be Gardiner's servant, and with whom he had an old acquaintance. The matter was traced, and Knevet spoke with the Italian that had first let it fall, and was persuaded of the truth of the thing: but Gardiner smelling it out, said, that Italian, upon whose testimony the whole matter depended, was corrupted to ruin him; and complained of it to the Emperor's chancellor, Granvel: upon which Ludovico (that was the Italian's name) was put in prison. And

it seems the King either looked on it as a contrivance of Gardiner's enemies, or at least seemed to do so, for he continued still to employ him. Yet, on many occasions, he expressed great contempt of him, and used him not as a counsellor, but as a slave. But he was a man of great cunning, and had observed the King's temper exactly, and knew well to take a fit occasion for moving the King in any thing, and could improve it dexterously. He therefore represented to the King, that nothing would so secure him, both at home and abroad, against all the mischief the Pope was contriving, as to shew great zeal against heretics, chiefly the sacramentaries (by that name they branded all that denied the corporal presence of Christ in the eucharist). And the King, being all his life zealous for the belief of the corporal presence, was the more easily persuaded to be severe on that head: and the rather, because the princes of Germany, whose friendship was necessary to him, being all Lutherans, his proceedings against the sacramentaries would give them no offence.

Gardiner stirs up the King against those called sacramentaries,

An occasion at that time presented itself as opportunely as they could have wished; one John Nicholson, alias Lambert, was then questioned by the Archbishop of Canterbury for that opinion. He had been minister of the English company at Antwerp; where, being acquainted with Tindal and Frith, he improved that knowledge of religion, which was first infused in him by Bilney: but Chancellor More ordered the merchants to dismiss him; so he came over to England, and was taken by some of Archbishop Warham's officers, and many articles were objected to him. But Warham died soon after, and the change of counsels that followed occasioned his liberty. So he kept a school at London; and hearing Dr. Taylor, afterwards bishop of Lincoln, preach of the presence of Christ in the sacrament, he came to him upon it, and offered his reasons, why he could not believe the doctrine he had preached: which he put in writing, digesting them into ten arguments. Taylor shewed this to Dr. Barnes, who, as he was bred among the Lu-

And Lambert in particular,

therans, so had not only brought over their opinions, but their temper with him: he thought, that nothing would more obstruct the progress of the Reformation than the venting that doctrine in England. Therefore Taylor and he carried the paper to Cranmer, who was, at that time, also of Luther's* opinion, which he had drunk in from his friend Osiander. Latimer was of the same belief. So Lambert was brought before them, and they studied to make him retract his paper: but all was in vain; for Lambert, by a fatal resolution, appealed to the King.

Who had appealed to the King,

This Gardiner laid hold on, and persuaded the King to proceed solemnly and severely in it. The King was soon prevailed with, and both interest and vanity concurred to make him improve this opportunity for shewing his zeal and learning. So letters were written to many of the nobility and bishops, to come and see this trial; in which the King intended to sit in person, and to manage some part of the argument. In November, on the day that was prefixed, there was a great appearance in Westminster Hall of the bishops and clergy, the nobility, judges, and the King's council; with an incredible number of spectators. The King's guards were all in white, and so was the cloth of state.

And was publicly tried at Westminster

When the prisoner was brought to the bar, the trial was opened by a speech of Dr. Dayes, which was to this effect:—"That this assembly was not at all convened to dispute about any point of faith; but that the King, being supreme head, intended openly to condemn and confute that man's heresy in all their presence." Then the King commanded him to declare his opinion about the sacrament. To which Lambert began his answer, with a preface, acknowledging the King's great goodness, that he would thus hear the causes of his subjects, and commending his great judgment and learning. In this the King interrupted him, telling him, in Latin, that he came

* Cranmer, at his trial, being asked what doctrine he taught concerning this sacrament, when he condemned Lambert the sacramentary, expressly says, "I maintained then the papists' doctrine." Fox, vol. III. p. 656. Nor could he well otherwise have argued against Lambert as he then did.

not there to hear his own praises set forth; and therefore commanded him to speak to the matter. This he uttered with a stern countenance; at which Lambert being a little disordered, the King asked him again, Whether was Christ's body in the sacrament or not? He answered in the words of St. Austin, "It was his body in a certain manner." But the King bade him answer plainly, Whether it was Christ's body or not? So he answered, "That it was not his body." Upon which the King urged him with the words of Scripture, "This is my body;" and then he commanded the Archbishop to confute his opinion, who spoke only to that part of it which was grounded on the impossibility of a body's being in two places at once. And that he confuted from Christ's appearing to St. Paul; shewing, that though he is always in heaven, yet he was seen by St. Paul in the air. But Lambert affirmed, that he was then only in heaven; and that St. Paul heard a voice, and saw a vision, but not the very body of Christ. Upon this they disputed for some time: in which, it seems, the Bishop of Winchester thought Cranmer argued but faintly, for he interposed in the argument.

Arguments brought against him

Tonstal's arguments run all upon God's omnipotency, that it was not to be limited by any appearances of difficulties, which flowed from our want of a right understanding of things; and our faculties being weak, our notions of impossibilities were proportioned to these. But Stokesley thought he had found out a demonstration that might put an end to the whole controversy; for he shewed, that in nature we see one substance changed into another, and yet the accidents remain. So, when water is boiled till it evaporates into air, one substance is changed into another; and moisture that was the accident remains, it being still moist. This (as one of the eye-witnesses relates) was received with great applause; and much joy appeared in the Bishop's looks upon it. But whether the spectators could distinguish well between laughter for joy, and a scornful smile, I cannot tell: for certainly this crotchet must have provoked the latter rather, since

it was a sophism not to be forgiven any above a junior sophister; thus from an accidental conversion where the substance was still the same, only altered in its form and qualities (according to the language of that philosophy which was then most in vogue), to infer a substantial mutation, where one substance was annihilated, and a new one produced in its place. But these arguments it seems disordered Lambert somewhat; and either the King's stern looks, the variety of the disputants, ten, one after another, engaging with him, or the greatness of the presence, with the length of the action, which continued five hours, put him in some confusion: it is not improbable but they might, in the end, bring him to be quite silent. This, one that was present, said, flowed from his being spent and wearied; and that he saw what he said was little considered: but others ascribed it to his being confounded with the arguments that were brought against him. So the general applause of the hall gave the victory on the King's side. When he was thus silent, the King asked him, If he was convinced by these arguments, and whether he would live or die? He answered, "That he committed his soul to God, and submitted his body to the King's clemency." But the King told him, if he did not recant he must die, for he would not be a patron of heretics; and since he would not do that, the King ordered Cromwell to read the sentence (which he, as the King's vicegerent, did), declaring him an incorrigible heretic, and condemning him to be burnt. Which was soon after executed in Smithfield, in a barbarous manner; for, when his legs and thighs were burnt to the stumps, there not being fire enough to consume the rest of him suddenly, two of the officers raised up his body on their halberds, he being yet alive, and crying out, "None but Christ, none but Christ!" and then they let him fall down into the fire, where he was quickly consumed to ashes. He was a learned and good man. His answers to the articles objected to him by Warham, and a book, which in his imprisonment he wrote for justifying his opinion, which he

He is condemned,

And burnt.

directed to the King, do shew both great learning for those times, and a very good judgment.

This being done, the party that opposed the Reformation persuaded the King, that he had got so much reputation to himself by it, that it would effectually refute all aspersions which had been cast on him, as if he intended to change the faith: neither did they forget to set on him in his weak side, and magnify all that he had said, as if the oracle had uttered it; by which, they said, it appeared he was indeed a defender of the faith, and the supreme head of the church. And he had so good a conceit of what was then done, that he intended to pursue these severities further; and therefore, soon after, he resolved on summoning a parliament, partly for confirming what he had done, and completing what remained to be done further, in the suppression of the monasteries; and likewise for making a new law for punishing some opinions, which were then spreading, about the sacrament, and some other articles, as will soon appear.

The popish party gain ground at court.

Now the Archbishop of Canterbury's interest at court suffered a great diminution. His chief friend among the bishops was Fox, bishop of Hereford, who was much esteemed and employed by the King. He was a privy-counsellor, and had been employed in a negotiation with the princes of Germany, to whom he was a very acceptable minister. They proposed that the King would receive the Augsburg Confession, except in such things as should be altered in it by common consent, and defend it in a free council, if any such were called; and that neither of them should acknowledge any council called by the Pope: that the King should be called the patron of their league, and they should mutually assist one another, the King giving one hundred thousand crowns a year towards the defence of the league.

The Bishop of Winchester, being then in France, did much dissuade the King from making a religious league with them; against which he gave some plausible politic reasons, for his conscience never struggled with a maxim of state. But the King liked most of

The King's correspondence with the German princes.

the propositions; only he would not accept the title of defender of their league, till some differences in the doctrine were agreed. So they were to have sent over Sturmius as their agent; and Melancthon, Bucer, and George Draco, to confer with the King's divines. But, upon Queen Anne's fall, this vanished; and though the King entered into a civil league with them, and had frequently a mind to bring over Melancthon, for whom he had a great value, yet it never took effect. There were three things in which the Germans were more positive than in any other point of reformation: these were, the communion in both kinds, the worship in a known tongue, and an allowance for the marriage of the clergy. All the people had got these things in their heads; so that it was generally believed, that if the Pope had in time consented to them, the progress of the Reformation had been much stopped. The express words of the institution, and the novelty of the contrary practice, had engaged that nation very early for communion in both kinds. Common sense made them all desire to understand what they did and said in the worship of God; and the lewd and dissolute practices of the unmarried clergy were so public, that they thought the honour of their families, of which that nation is extremely sensible, could not be secured, unless the clergy might have wives of their own. But at these the King stuck more than at other things that were more disputable. for in all other points that were material, he had set up the doctrine of the Augsburg Confession; and there was good ground to hope that the evidence of at least two of these would have brought over the King to a fuller agreement, and firmer union, with them.* But the Bishop of Hereford's death gave a great blow to that design. For though that party thought they had his room well filled, when they had got Bonner to be his successor; yet they found afterwards what a fatal mistake they committed, in raising him now to Hereford, and translating him, within a few months, to London, vacant

Bonner's dissimulation

* See *addenda* at the end of this volume.

by Stokesley's death. But during the vacancy of the see of Hereford, Cranmer held a visitation in it, where he left some injunctions (to be found in the Collection), which chiefly related to the encouraging of reading the Scriptures, and giving all due obedience to the King's injunctions. For the other bishops that adhered to Cranmer, they were rather clogs than helps to him. Latimer's simplicity and weakness made him be despised: Shaxton's proud and litigious humour drew hatred on him: Barlow was not very discreet; and many of the preachers whom they cherished, whether out of an unbridled forwardness of temper, or a true zeal, that would not be managed and governed by politic and prudent measures, were flying at many things that were not yet abolished. Many complaints were brought of these to the King. Upon which, letters were sent to all the bishops, in the King's name, to take care, that as the people should be instructed in the truth, so they should not be unwarily charged with too many novelties; since the publishing these, if it was not tempered with great discretion, would raise much contention, and other inconveniences, that might be of dangerous consequence. But it seems this caveat did not produce what was designed by it; or, at least, the opposite party were still bringing in new complaints: for I have seen an original letter of Cromwell's to the Bishop of Landaff, bearing date the 6th of January, in which he makes mention of the King's letters,* sent to that purpose, and requires him to look to the execution of them, both against the violence of the new preachers, and against those that secretly carried on the pretended authority of the Bishop of Rome; otherwise he threatens to proceed against him in another manner. All these things concurred to lessen Cranmer's interest in the court; nor had he any firm friend there but Cromwell, who was also careful to preserve himself: there was not a queen now in the King's bosom to favour their motions. Queen Jane had been their friend, though she came in Anne Bo-

Collect. Numb. 12.

Collect Numb 13

* See *addenda* at the end of the volume.

leyn's room, that had supported them most. The King was observed to be much guided by his wives, as long as they kept their interest with him. Therefore Cromwell thought the only way to retrieve a design that was almost lost, was to engage the King in an alliance with some of the princes of Germany; from whence he had heard much of the beauty of the Lady Anne of Cleves, the Duke of Cleves' sister, whose eldest sister was married to the Duke of Saxony.

1538. A new parliament. But while he was setting this on foot, a parliament was summoned to met the 28th of April: to which all the parliamentary abbots had their writs. The Abbots of Westminster, St. Albans, St. Mary, York, Glastenbury, Glocester, Ramsey, Evesham, Peterborough, Reading, Malmesbury, Croyland, Selby, Thorny, Winchelcomb, Waltham, Cirencester, Tewkesbury, and Colchester sat in it. On the 5th of May, the Lord Chancellor acquainted them, that the King, being most desirous to have all his subjects of one mind in religion, and to quiet all controversies about it, had commanded him to move to them, that a committee might be appointed for examining these different opinions, and drawing up articles for an agreement, which might be reported and considered by the House. To this the Lords agreed; and named for a committee, Cromwell, the vicegerent, the two Archbishops, the Bishops of Duresme, Bath and Wells, Ely, Bangor, Carlisle, and Worcester: who were ordered to go about it with all haste, and were dispensed with for their attendance in the House, till they had ended their business. But they could come to no agreement; for the Archbishop of Canterbury, having the Bishops of Ely and Worcester to second him, and being favoured by Cromwell, the other five could carry nothing against them: nor would either party yield to the other; so that eleven days passed in these debates.

The Six Articles are proposed. On the 16th of May the Duke of Norfolk told the Lords, that the committee that was named had made no progress, for they were not of one mind; which some of the Lords had objected, when they were firs

named. Therefore he offered some articles to the Lords' consideration, that they might be examined by the whole House, and that there might be a perpetual law made for the observation of them, after the Lords had freely delivered their minds about them. The articles were:

"First, Whether in the eucharist Christ's real body was present without any transubstantiation?" (so it is in the Journal, *absque transubstantiatione.*) It seems, so the corporal presence had been established, they would have left the manner of it indefinite.

"Secondly, Whether that sacrament was to be given to the laity in both kinds?

"Thirdly, Whether the vows of chastity, made either by men or women, ought to be observed by the law of God?

"Fourthly, Whether, by the law of God, private masses ought to be celebrated?

"Fifthly, Whether priests, by the law of God, might marry?

"Sixthly, Whether auricular confession were necessary, by the law of God?"

Against these the Archbishop of Canterbury argued long. For the first, he was then in his opinion a Lutheran, so he was not like to say much against it. But certainly he opposed the second much; since there was not any thing for which those with whom he held correspondence were more earnest, and seemed to have greater advantages, both from Christ's own words in the institution, and the constant practice of the church for twelve years. Reasons against them

For the third, it seemed very hard to suppress so many monasteries, and set the religious persons at liberty, and yet bind them up to chastity. That same parliament, by another act, absolved them from their vow of poverty, giving them power to purchase lands: now it was not reasonable to bind them up to some parts of their vows, when they absolved them from the rest. And it was no ways prudent to bind them up from marriage, since, as long as they continued in that state, they were still capable to re-enter into their

monasteries, when a fair occasion should offer; whereas they, upon their marrying, did effectually lay down all possible pretensions to their former houses.

For the fourth, the asserting the necessity of private masses was a plain condemnation of the King's proceedings, in the suppression of so many religious houses, which were societies chiefly dedicated to that purpose. For if these masses did profit the souls departed, the destroying so many foundations could not be justified. And for the living, these private masses were clearly contrary to the first institution, by which that which was blessed and consecrated was to be distributed: and it was to be a communion, and so held by the primitive church, which admitted none, so much as to see the celebration of the sacrament, but those who received it; laying censures upon such as were present at the rest of that office, and did not stay and communicate.

For the fifth, it touched Cranmer to the quick, for he was then married. The Scripture did in no place enjoin the celibate of the clergy. On the contrary, Scripture speaks of their wives, and gives the rules of their living with them. And St. Paul, in express words, condemns all men's leaving their wives, without exception; saying, "That the man hath not power over his own body, but the wife." In the primitive church, though those that were in orders did not marry, yet such as were married before orders kept their wives; of which there are many instances: and when some moved, in the council of Nice, that all that had been married, when they entered into orders, should put away their wives, it was rejected; and ever since the Greek churches have allowed their priests to keep their wives: nor was it ever commanded in the western church, till the popes began their usurpation. Therefore, the prohibition of it being only grounded on the papal constitutions, it was not reasonable to keep it up, since that authority on which it was built was now overthrown.

What was said concerning auricular confession,*

* See *Addenda* at the end of this volume.

I cannot so easily recover. For though Cranmer argued three days against these articles, I can only gather the substance of his arguments from what himself wrote on some of these heads afterwards: for nothing remains of what passed there, but what is conveyed to us in the Journal, which is short and defective.

On the 24th of May the parliament was prorogued to the 30th; upon what reason it does not appear. It was not to set any of the bills backward; for it was agreed, that the bills should continue in the state in which they were then, till their next meeting. When they met again, on the 30th of May, being Friday, the Lord Chancellor intimated to them, that not only the spiritual lords, but the King himself, had taken much pains to bring things to an agreement, which was effected. Therefore he moved, in the King's name, that a bill might be brought in for punishing such as offended against these articles. So the Lords appointed the Archbishop of Canterbury, the Bishops of Ely and St. David's, and Dr. Petre, a master of Chancery (afterwards secretary of state), to draw one bill; and the Archbishop of York, the Bishops of Duresme and Winchester, and Dr. Tregonnel, another master of Chancery, to draw another bill about it; and to have them both ready, and to offer them to the King by Sunday next. But the bill that was drawn by the Archbishop of York, and those with him, was best liked: yet it seems the matter was long contested, for it was not brought to the House before the 7th of June; and then the Lord Chancellor offered it, and it was read the first time. On the 9th of June it had the second reading, and on the 10th it was engrossed, and read the third time. But when it passed, the King desired the Archbishop of Canterbury to go out of the House, since he could not give his consent to it; but he humbly excused himself, for he thought he was bound in conscience to stay and vote against it. It was sent down to the House of Commons, where it met with no great opposition; for on the 14th it was agreed to, and sent

up again: and on the 28th it had the force of a law by the royal assent.

An act passed for them.

The title of it was, "An act for abolishing diversity of opinions in certain articles concerning Christian religion." It is said in the preamble, "That the King, considering the blessed effects of union, and the mischiefs of discord, since there were many different opinions, both among the clergy and laity, about some points of religion, had called this parliament, and a synod at the same time, for removing these differences, where six articles were proposed, and long debated by the clergy: and the King himself had come in person to the parliament and council, and opened many things of high learning and great knowledge about them: and that he, with the assent of both houses of parliament, had agreed on the following articles:—First, That in the sacrament of the altar, after the consecration, there remained no substance of bread and wine, but under these forms the natural body and blood of Christ were present. Secondly, That communion in both kinds was not necessary to salvation to all persons by the law of God; but that both the flesh and blood of Christ were together in each of the kinds. Thirdly, That priests, after the order of priesthood, might not marry by the law of God. Fourthly, That vows of chastity ought to be observed by the law of God. Fifthly, That the use of private masses ought to be continued; which, as it was agreeable to God's law, so men received great benefit by them. Sixthly, That auricular confession was expedient and necessary, and ought to be retained in the church. The parliament thanked the King for the pains he had taken in these articles: and enacted, That if any, after the 12th of July, did speak, preach, or write against the first article, they were to be judged heretics, and to be burnt without any abjuration, and to forfeit their real and personal estates to the King. And those who preached, or obstinately disputed against, the other articles, were to be judged felons; and to suffer death as felons, without benefit of clergy. And those who, either in

word or writing, spake against them, were to be prisoners during the King's pleasure, and forfeit their goods and chattels to the King, for the first time: and if they offended so the second time, they were to suffer as felons. All the marriages of priests are declared void; and if any priest did still keep any such woman, whom he had so married, and lived familiarly with her, as with his wife, he was to be judged a felon: and if a priest lived carnally with any other woman, he was, upon the first conviction, to forfeit his benefices, goods, and chattels, and to be imprisoned during the King's pleasure; and upon the second conviction was to suffer as a felon. The women so offending, were also to be punished in the same manner as the priests; and those who contemned, or abstained from confession, or the sacrament, at the accustomed times, for the first offence were to forfeit their goods and chattels, and be imprisoned; and for the second, were to be adjudged of felony. And for the execution of this act, commissions were to be issued out to all archbishops and bishops, and their chancellors and commissaries, and such others in the several shires, as the King should name, to hold their sessions quarterly, or oftener; and they were to proceed upon presentments, and by a jury. Those commissioners were to swear, that they should execute their commission indifferently, without favour, affection, corruption, or malice. All ecclesiastical incumbents were to read this act in their churches once a quarter. And in the end, a proviso was added, concerning vows of chastity: that they should not oblige any, except such as had taken them at or above the age of twenty-one years; or had not been compelled to take them."

Which is variously censured.

This act was received, by all that secretly favoured popery, with great joy; for now they hoped to be revenged on all those who had hitherto set forward a reformation. It very much quieted the bigots; who were now persuaded that the King would not set up heresy, since he passed so severe an act against it; and it made the total suppression of monasteries go the

more easily through. The popish clergy liked all the act very well, except that severe branch of it against their unchaste practices. This was put in by Cromwell to make it cut with both edges. (Some of our inconsiderate writers, who never perused the statutes, tell us that it was done by a different act of parliament; but greater faults must be forgiven them who write upon hearsay.) There was but one comfort that the poor reformers could pick out of the whole act—that they were not left to the mercy of the clergy, and their ecclesiastical courts, but were to be tried by a jury; where they might expect more candid and gentle dealing. Yet the denying them the benefit of abjuration, was a severity beyond what had ever been put in practice before: so now they began to prepare for new storms and a heavy persecution.

An act about the suppression of the greater monasteries

The other chief business of this parliament was the suppression of monasteries. It is said in the preamble of that act, "That divers abbots, priors, and other heads of religious houses, had, since the 4th of February, in the twenty-seventh year of the King's reign, without constraint, of their own accord, and according to the due course of the common law, by sufficient writings of record, under their covent-seals, given up their houses, and all that belonged to them, to the King. Therefore, all houses that were, since that time, suppressed, dissolved, relinquished, forfeited, or given up, are confirmed to the King and his successors for ever: and all monasteries that should thereafter be suppressed, forfeited, or given up, are also confirmed to the King and his successors. And all these houses, with the rents belonging to them, were to be disposed of by the court of Augmentations, for the King's profit; excepting only such as were come into the King's hands by attainders of treason, which belonged to the Exchequer: reserving to all persons, except the patrons, founders, and donors of such houses, the same right to any parts of them, or jurisdiction in them, which they could have claimed if that act had never been made. Then followed many clauses for annulling all deeds and leases, made

within one year before the suppression of any religious house, to the prejudice of it, or different from what had been granted formerly. And all churches or chapels, which belonged to these monasteries, and were formerly exempted from the visitation or jurisdiction of their ordinary, are declared to be within the jurisdiction of the bishop of the diocess, or of any other that should be appointed by the King."

This act passed in the House of Peers, without any protestation made by any of the abbots, though it appears by the Journal, that, at the first reading of it, there were eighteen abbots present; at the second reading twenty, and seventeen at the third reading; and the Abbots of Glastenbury, Colchester, and Reading, were among those who were present: so little reason there is to think they were attainted for any open withstanding of the King's proceedings, when they did not protest against this act, which was so plainly levelled at them. It was soon dispatched by the Commons, and offered to the royal assent. By it, no religious houses were suppressed, as is generally taken for granted; but only the surrenders, that either had been, or were to be, made were confirmed. The last proviso, for annulling all exemptions of churches and chapels, had been a great happiness to the church, if it had not been for that clause, "That the King might appoint others to visit them;" which, in a great degree, did enervate it. For many of those who afterwards purchased these lands, with the impropriated tithes, got this likewise in their grants, that they should be the visitors of the churches and chapels formerly exempted; from whence, great disorders have since followed in these churches, which, not falling within the bishop's jurisdiction, are thought not liable to his censures; so that the incumbents in them, being under no restraints, have often been scandalous to the church, and given occasion to those who were disaffected to the hierarchy, to censure the prelates for these offences, which they could not punish; since the offenders were thus excepted out of their jurisdiction. This abuse, which first sprang

from the ancient exemptions that were confirmed or granted by the see of Rome, has not yet met with an effectual remedy.

Upon the whole matter, this suppression of abbeys was universally censured; and, besides the common exceptions which those that favoured the old superstition made, it was questioned, whether the lands that formerly belonged to religious houses, ought to have returned to the founders and donors, by way of *revertir*, or to have fallen to the lords of whom the lands were holden, by the way of escheat, or to have come to the crown? It is true, by the Roman law, or at least by a judgment of the senate in Theodosius's time, the endowments of the heathenish temples were, upon a full debate, whether they should return to the right heirs or be confiscated? in the end adjudged to the fisc, or the Emperor's exchequer; upon this reason, that, by the will of the donors, they were totally alienated from them and their heirs. But in England it went otherwise. And when the order of the knights templars was dissolved, it was then judged in favour of the lord by escheat.* For, though the founders and donors had totally alienated these lands from themselves and their heirs, yet there was no reason, from thence, to conclude any thing that might wrong the superior lord of his right in the case of an escheat. And this must have held good, if those alienations and endowments had been absolute without any condition. But the endowments being generally rather of the nature of covenants and contracts, and made in consideration of so many masses to be said for their souls, then it was most just, that, upon a non-performance of the condition, and when that public error and cheat, which the monks had put upon the world, was discovered, the land should have returned to the founders and patrons, and their heirs and successors. Nor was there any grounds for the lords to pretend to them by es-

* By the statute *de Terris Templariorum*, neither the king nor the lords were to have by escheat the lands that were the templars', but those lands were to remain to the prior and brethren of the order of the hospital of St. John of Jerusalem

cheat, especially where their ancestors had consented to, and confirmed those endowments. Therefore, there was no need of excluding them by any special proviso. But, for the founders and donors, certainly, if there had not been a particular proviso made against them, they might have recovered the lands which their ancestors had superstitiously given away; and the surrenders which religious persons made to the crown, could not have cut off that title. But this act did that effectually. It is true, many of the greatest of them were of royal foundation, and these would have returned to the crown without dispute.

Another about the erecting new bishopricks.

On the 23d of May, in this session of parliament, a bill was brought in by Cromwell, for giving the King power to erect new bishopricks, by his letters-patents. It was read that day for the first, second, and third time; and sent down to the Commons. The preamble of it was, "That it was known what slothful and ungodly life had been led by those who were called religious. But that these houses might be converted to better uses; that God's word might be better set forth, children brought up in learning, clerks nourished in the universities, and that old decayed servants might have livings, poor people might have alms-houses to maintain them; readers of Greek, Hebrew, and Latin, might have good stipends; daily alms might be ministered, and allowance might be made for mending of the highways, and exhibitions for ministers of the church; for these ends, if the King thought fit to have more bishopricks or cathedral churches erected out of the rents of these houses, full power was given to him to erect, and found them;* and to make rules and statutes for them, and such translations of sees, or divisions of them, as he thought fit." But on this act I must add a singular remark. The preamble and material parts of it, were drawn by the King himself, and the first draught of it, under his hand, is yet extant; which shews his extraordinary application and understanding of business. But in the same paper there is a list of the

* See *Addenda* at the end of the volume.

sees which he intended to found; of which, what was done afterwards came so far short, that I know nothing to which it can be so reasonably imputed, as the declining of Cranmer's interest at court; who had proposed the erecting of new cathedrals and sees, with other things mentioned in the preamble of the statute, as a great mean for reforming the church.

The King's design about these

The sees which the King then designed, with the abbeys out of which they were to be erected, follow, as it is in the paper under the King's own hand:

Essex,	Waltham.
Hartford,	St. Alban's.
Bedfordshire and Buckinghamshire,	Dunstable, Newenham, Clowston.
Oxford and Berkshire,	Osnay and Tame.
Northampton and Huntington,	Peterborough.
Middlesex,	Westminster.
Leicester and Rutland,	Leicester.
Gloucestershire,	St. Peter's.
Lancashire,	Fountains and the archdeaconry of Richmond.
Suffolk,	Edmundsbury.
Stafford and Salop,	Shrewsbury.
Nottingham and Derby,	Welbeck, Werksop, Thurgarton.
Cornwall,	Lanceston, Bedmynne, Wardreth.

Over these is written, "The bishopricks to be made." In another corner of the page he writes as follows:—

"Places to be altered according to our device, which have sees in them. Christ's Church in Canterbury, St. Swithin's, Ely, Duresme, Rochester, with a part of Leeds, Worcester, and all others having the same." Then a little below:—"Places to be altered into colleges and schools: Burton super Trent." More is not written in that paper. But I wonder

much, that in this list Chester was forgotten. Yet it was erected before any of them. For I have seen a commission under the privy-seal, to the Bishop of Chester, to take the surrender of the monastery of Hammond in Shropshire, bearing date the 24th of August, this year. So it seems, the see of Chester was erected and endowed before the act passed, though there is among the rolls a charter for endowing and founding of it afterwards. Bristol is not mentioned in this paper, though a see was afterwards erected there. It was not before the end of the next year that these sees were founded; and there was in that interval so great a change made, both of the counsels and ministers, that no wonder the things now designed were never accomplished.

An act about the King's proclamations

Another act passed in this parliament, concerning the obedience due to the King's proclamations. There had been great exceptions made to the legality of the King's proceedings, in the articles about religion, and other injunctions published by his authority, which were complained of as contrary to law; since by these the King had, without consent of parliament, altered some laws, and had laid taxes on his spiritual subjects. Upon which an act passed, which sets forth in the preamble, "the contempt and disobedience of the King's proclamations, by some who did not consider what a king by his royal power might do; which, if it continued, would tend to the disobedience of the laws of God, and the dishonour of the King's Majesty, (who may full ill bear it.) Considering also, that many occasions might require speedy remedies, and that delaying these till a parliament met might occasion great prejudices to the realm; and that the King, by his royal power given of God, might do many things in such cases; therefore it is enacted, that the King for the time being, with advice of his council, might set forth proclamations with pains and penalties in them, which were to be obeyed as if they were made by an act of parliament. But this was not to be so extended, that any of the King's subjects should suffer in their estates, liberties, or persons by virtue of it: nor that,

by any of the King's proclamations, laws or customs were to be broken and subverted." Then follow some clauses about the publishing of proclamations, and the way of prosecuting those who contemned and disobeyed them. It is also added, "that if any offended against them, and in further contempt went out of the realm, he was to be adjudged a traitor. This also gave power to the counsellors of the King's successor, if he were under age, to set forth proclamations in his name, which were to be obeyed in the same manner with those set forth by the King himself." This act gave great power to the judges, since there were such restrictions in some branches of it, which seemed to lessen the great extent of the other parts of it; so that the expositors of the law had much referred to them. Upon this act were the great changes of religion in the nonage of Edward the Sixth grounded.

An act about precedence.

There is another act, which but collaterally belongs to ecclesiastical affairs, and therefore shall be but slightly touched. It is the act of the precedency of the officers of state, by which the Lord Vicegerent has the precedence of all persons in the kingdom next the royal family; and on this I must make one remark, which may seem very improper for one of my profession, especially when it is an animadversion on one of the greatest men that any age had produced—the most learned Mr. Selden. He, in his Titles of Honour, says, "That this statute was never printed in the Statute-Book, and but incorrectly by another; and, that therefore he inserts it literally, as it is in the Record." In which there are two mistakes. For it is printed in the Statute-Book, that was set out in that King's reign, though left out in some later Statute-Books; and that which he prints, is not exactly according to the Record. For, as he prints it, the Bishop of London is not named in the precedency; which is not according to the Parliament-Roll, in which the Bishop of London has the precedence next the Archbishop of York; and though this is corrected in a posthumous edition, yet in that set out by himself, it is wanting: nor is that omission among the errors of the press, for

though there are many of these gathered to be amended, this is none of them. This I do not take notice of out of any vanity, or humour of censuring a man so great in all sorts of learning; but my design is only to let ingenuous persons see, that they ought not to take things on trust easily, no, not from their greatest authors.

These are all the public acts that relate to religion, which were passed in this parliament. With these there passed an act of attainder of the Marquis of Exeter, and the Lord Montacute, with many others, that were either found to have had a great hand in the late rebellion, or were discovered to hold correspondence with Cardinal Pole, who was then trafficking with foreign princes, and projecting a league among them against the King. But of this I shall give a more full account at the end of this book; being there to open the grounds of all the attainders that were passed in these last years of the King's reign. There is one remarkable thing that belongs to this act. Some acts of attainders.

Some were to be attainted in absence; others they had no mind to bring to make their answer, but yet designed to attaint them. Such were the Marchioness of Exeter, and the Countess of Sarum, mother to Cardinal Pole, whom, by a gross mistake, Speed fancies to have been condemned without arraignment or trial, as Cromwell had been by parliament: for she was now condemned a year before him. About the justice of doing this, there was some debate; and to clear it, Cromwell sent for the judges, and asked their opinions, whether a man might be attainted in parliament without being brought to make his answer? They said, it was a dangerous question. That the parliament ought to be an example to all inferior courts; and that when any person was charged with a crime, he, by the common rule of justice and equity, should be heard to plead for himself. But the parliament being the supreme court of the nation, what way soever they proceeded, it must be good in law; and it could never be questioned, whether the party was brought to answer or not. And thus a very ill precedent was made, by which the most innocent person in the

world might be ruined. And this, as has often been observed in the like cases, fell very soon heavily on the author of the counsel; as shall appear.

The King's care of Cranmer. Antiq Brit. in vita Cran.

When the parliament was prorogued on the 28th of June, the King apprehending that the Archbishop of Canterbury might be much cast down with the act for the six Articles, sent for him and told him, that he had heard how much, and with what learning he had argued against it, and therefore he desired he would put all his arguments in writing, and bring them to him. Next day he sent the Dukes of Norfolk and Suffolk, and the Lord Cromwell, to dine with him: ordering them to assure him of the King's constant and unshaken kindness to him, and to encourage him all they could. When they were at table with him at Lambeth, they ran out much on his commendation, and acknowledged he had opposed the act with so much learning, gravity, and eloquence, that even those that differed from him were much taken with what he said; and that he needed fear nothing from the King. Cromwell saying, that this difference the King put between him and all his other counsellors; that when complaints were brought of others, the King received them, and tried the truth of them; but he would not so much as hearken to any complaint of the Archbishop. From that he went on to make a parallel between him and Cardinal Wolsey: that the one lost his friends by his haughtiness and pride, but the other gained on his enemies by his gentleness and mildness. Upon which the Duke of Norfolk said, he might best speak of the Cardinal, for he knew him well, having been his man. This nettled Cromwell, who answered, that though he had served him, yet he never liked his manners: and that, though the Cardinal had designed, (if his attempt for the popedom had been successful,) to have made him his admiral; yet he had resolved not to accept of it, nor to leave his country. To which the Duke of Norfolk replied, with a deep oath, "that he lied;" with other reproachful language. This troubled Cranmer extremely, who did all he could to quiet and reconcile them. But now the enmity

between those two great ministers broke out to that height, that they were never afterwards hearty friends.

But Cranmer went about that which the King had commanded: and made a book of the reasons that led him to oppose the six Articles: in which the places out of the Scriptures, the authorities of the ancient doctors, with the arguments drawn from these, were all digested in a good method. This he commanded his Secretary to write out in a fair hand, that it might be given the King. The Secretary, returning with it from Croydon, where the Archbishop was then, to Lambeth, found the key of his chamber was carried away by the Archbishop's Almoner: so that he, being obliged to go over to London, and not daring to trust the book to any other's keeping, carried it with himself; where both he and the book met with an unlooked-for encounter. Some others, that were with him in the wherry, would needs go to the Southwark side, to look on a bear-baiting that was near the river, where the King was in person. The bear broke loose into the river, and the dogs after her. They that were in the boat leaped out, and left the poor Secretary alone there. But the bear got into the boat, with the dogs about her, and sunk it. The Secretary, apprehending his life was in danger, did not mind his book, which he lost in the water: but being quickly rescued and brought to land, he began to look for his book, and saw it floating in the river. So he desired the bearward to bring it to him; who took it up but, before he would restore it, put it into the hands of a priest that stood there, to see what it might contain. The priest, reading a little in it, found it a confutation of the six Articles; and told the bearward, that whosoever claimed it, would be hanged for his pains. But the Archbishop's Secretary, thinking to mend the matter, said it was his Lord's book. This made the bearward more intractable, for he was a spiteful papist, and hated the Archbishop: so that no offers nor entreaties could prevail with him to give it back. Whereupon Morice (that was the Secretary's name) went and opened the matter to Cromwell the next day: Crom-

Cranmer writes his reasons against the six Articles.

well was then going to court, and he expected to find the bearward there, looking to deliver the book to some of Cranmer's enemies; he therefore ordered Morice to go along with him. Where as they had expected, they found the fellow with the book about him; upon whom Cromwell called, and took the book out of his hands, threatening him severely for his presumption in meddling with a privy-counsellor's book.

Proceedings upon that act

But though Cranmer escaped this hazard, yet in London the storm of the late act was falling heavily on them that were obnoxious. Shaxton and Latimer, the bishops of Salisbury and Worcester, within a week after the session of parliament, as it appears, resigned their bishopricks. For on the 7th of July, the chapters of these churches petitioned the King for his leave to fill those sees, they being then vacant by the free resignation of the former bishops. Upon which, the *congé d'élire* for both was granted. Nor was this all: but they, being presented as having spoken against the six Articles, were put in prison, where the one lay till the King died, and the other till a little before his death, as shall be shewn in its proper place. There were also commissions issued out for proceeding upon that statute: and those who were commissioned for London, were all secret favourers of popery; so they proceeded more severely, and examined many witnesses against all who were presented: whom they interrogated not only upon the express words of the statute, but upon all such collateral or presumptive circumstances as might entangle them, or conclude them guilty. So that in a very little while, five hundred persons were put in prison, and involved in the breach of the statute. Upon this, not only Cranmer and Cromwell, but the Duke of Suffolk, and Audley, the chancellor, represented to the King how hard it would be, and of what ill consequence to execute the law upon so many persons. So the King was prevailed with to pardon them all; and I find no further proceeding upon this statute till Cromwell fell.

But the opposite party used all the arts possible to insinuate themselves into the King. And therefore,

to shew how far their compliance would go, Bonner took a strange commission from the King, on the 12th of November this year. It has been certainly enrolled; but it is not there now: so that I judge it was razed in that suppression of records, which was in Queen Mary's time. But, as men are commonly more careless at home, Bonner has left it on record in his own Register. Whether the other bishops took such commissions from this King, I know not: but I am certain there is none such in Cranmer's Register: and it is not likely, if any such had been taken out by him, that ever it would have been razed. The commission itself will be found in the Collection of Papers at the end. The substance of it is, "That since all jurisdictions, both ecclesiastical and civil, flowed from the King as supreme head, and he was the foundation of all power; it became those who exercised it only *(præcario)* at the King's courtesy, gratefully to acknowledge, that they had it only of his bounty; and to declare that they would deliver it up again, when it should please him to call for it. And since the King had constituted the Lord Cromwell his vicegerent in ecclesiastical affairs; yet, because he could not look into all those matters, therefore the King, upon Bonner's petition, did empower him, in his own stead, to ordain such as he found worthy, to present and give institution, with all the other parts of episcopal authority, for which he is duly commissionated; and this to last during the King's pleasure only. And all the parts of the episcopal function being reckoned up, it concluded with a strict charge to the Bishop, to ordain none but such of whose integrity, good life, and learning he had very good assurance. For as the corruptions of the Christian doctrine, and of men's manners, had chiefly proceeded from ill pastors; so it was not to be doubted, but good pastors well chosen would again reform the Christian doctrine, and the lives of Christians." After he had taken this commission, Bonner might have been well called one of the King's bishops. The true reason of this profound compliance was, that the popish party apprehended that

Collect. Numb. 14.

Cranmer's great interest with the King was chiefly grounded on some opinions he had, of the ecclesiastical officers being as much subject to the King's power as all other civil officers were. And this having endeared him so much to the King, therefore they resolved to outdo him in that point. But there was this difference—that Cranmer was once of that opinion, and, if he followed it at all, it was out of conscience: but Bonner, against his conscience (if he had any) complied with it.

Dissolution of the great abbeys.

Now followed the final dissolution of the abbeys; there are fifty-seven surrenders upon record this year. The originals of about thirty of these are yet to be seen. Thirty-seven of them were abbeys, or priories, and twenty nunneries. The good house of Godstow now fell with the rest, though among the last of them. Now the great parliament abbots surrendered apace; as those of Westminster, St. Albans, St. Edmundsbury, Canterbury, St. Mary in York, Selby, St. Peter's in Gloucester, Cirencester, Waltham, Winchcombe, Malmesbury, and Battel. Three others were attainted; Glastenbury, Reading, and Colchester. The deeds of the rest are lost. Here it will not be unacceptable to the reader, to know who were the parliamentary abbots. There were in all twenty-eight, as they were commonly given: Fuller has given a catalogue of them in three places of his History of Abbeys; but as every one of these differs from the others, so none of them are according to the Journals of parliament: the Lord Herbert is also mistaken in his account. I shall not rise higher in my inquiry than this reign, for anciently many more abbots and priors sat in parliament, beside other clergy, that had likewise their writs; and of whose right to sit in the House of Commons there was a question moved in Edward the Sixth's reign, as shall be opened in its proper place. Much less will I presume to determine so great a point in law, Whether they sat in the House of Lords, as being a part of the ecclesiastical state, or as holding their lands of the King by baronage? I am only to observe the matter of fact, which

is, that, in the Journals of parliament in this reign, these twenty-eight abbots had their writs; Abington, St. Alban's, St. Austin's Canterbury, Battel, St. Bennet's in the Holm, Berdeney, Cirencester, Colchester, Coventry, Croyland, St. Edmundsbury, Evesham, Glastenbury, Gloucester, Hide, Malmesbury, St. Mary's in York, Peterborough, Ramsey, Reading, Selby, Shrewsbury, Tavenstock, Tewksbury, Thorney, Waltham, Westminster, and Winchelcombe; to whom also the Prior of St. John's may be added. But besides all these, I find that in the twenty-eighth year of this King, the Abbot of Burton upon Trent sat in parliament. Generally Coventry and Burton were held by the same man, as one bishop held both Coventry and Litchfield; but in that year they were held by two different persons, and both had their writs to that parliament. The method used in the suppression of these houses will appear by one complete report made of the suppression of the abbey of Tewksbury, which, out of many I copied, is in the Collection. From it the reader will see, what provision was made for the abbot, the prior, the other officers, and the monks, and other servants of the house; and what buildings they ordered to be defaced and what to remain; and how they did estimate the jewels, plate, and other ornaments. But monasteries were not sufficient to stop the appetite of some that were about the King: for hospitals were next looked after. One of these was this year surrendered by Thomas Thirleby, with two other priests; he was master of St. Thomas's Hospital in Southwark, and was designed bishop of Westminster, to which he made his way by that resignation. He was a learned and modest man; but of so fickle or cowardly a temper, that he turned always with the stream in every change that was made, till Queen Elizabeth came to the crown: but then, being ashamed of so many turns, he resolved to shew he could once be firm to somewhat.

Collect. Numb. 2. Sect 5.

Some hospitals surrendered

Now were all the monasteries of England suppressed, and the King had then in his hand the greatest opportunity of making royal and noble foun-

The abbeys sold or given away

dations that ever king of England had. But, whether out of policy, to give a general content to the gentry by selling to them at low rates, or out of easiness to his courtiers, or out of an unmeasured lavishness in his expense, it came far short of what he had given out he would do, and what himself seemed once to have designed. The clear yearly value of all the suppressed houses is cast up, in an account then stated to be, viz. 131,607*l.* 6*s.* 4*d.* as the rents were then rated; but was at least ten times so much in true value.* Of which he designed to convert 18,000*l.* into a revenue for eighteen bishopricks and cathedrals. But of these he only erected six, as shall be afterwards shewn. Great sums were indeed laid out on building and fortifying many ports in the Channel, and other parts of England, which were raised by the sale of abbey lands.

A project of a seminary for ministers of state.

At this time many were offering projects for noble foundations, on which the King seemed very earnest: but it is very likely, that before he was aware of it, he had so outrun himself in his bounty, that it was not possible for him to bring these to any effect. Yet I shall set down one of the projects, which shews the greatness of his mind that designed it; that is, of Sir Nicholas Bacon, who was afterwards one of the wisest ministers that ever this nation bred. The King designed to found a house for the study of the civil law, and the purity of the Latin and French tongues; so he ordered Sir Nicholas Bacon, and two others, Thomas Denton, and Robert Cary, to make a full project of the nature and orders of such a house; who brought it to him in writing: the original whereof is yet extant. The design of it was, that there should be frequent pleadings, and other exercises in the Latin and French tongues: and when the King's students were brought to some ripeness,

In Bibli oth Nob D D Guil. Pierpoint.

*In Nasmith's edition of Tanner's *Notitia Monastica*, the annual revenue of all the monastic houses is computed to be 142,914*l.* Burnet's supposition, that they exceeded the computed estimate, to the amount of ten times its value, is judged to have been very erroneous—at all events the gain to the Crown by their suppression, was very large; St. Peter's, Westminster, which was accounted the richest, had a revenue of 3977*l.* per annum,—a large sum for those times.—N.

they should be sent with his ambassadors to foreign parts, and trained up in the knowledge of foreign affairs; and so the house should be the nursery for ambassadors. Some were also to be appointed to write the history of all embassies, treaties, and other foreign transactions; as also of all arraignments, and public trials at home. But, before any of them might write on these subjects, the Lord Chancellor was to give them an oath, that they should do it truly, without respect of persons, or any other corrupt affection. This noble design miscarried. But, if it had been well laid and regulated, it is easy to gather what great and public advantages might have flowed from it. Among which, it is not inconsiderable, that we should have been delivered from a rabble of ill writers of history, who have, without due care or inquiry, delivered to us the transactions of that time so imperfectly, that there is still need of inquiring into registers and papers for these matters: which, in such a house, had been more certainly and clearly conveyed to posterity than can be now expected, at such a distance of time, and after such a razure of records, and other confusions, in which many of these papers have been lost. And this help was the more necessary, after the suppression of religious houses: in most of which a chronicle of the times was kept, and still filled up as new transactions came to their knowledge. It is true, most of these were written by men of weak judgments, who were more punctual in delivering fables and trifles than in opening observable transactions. Yet some of them were men of better understandings; and it is like were directed by their abbots, who, being lords of parliament, understood affairs well: only an invincible humour of lying, when it might raise the credit of their religion, or order, or house, runs through all their manuscripts.

A proclamation about the free use of the Scriptures.

One thing was very remarkable, which was this year granted at Cranmer's intercession. There was nothing could so much recover reformation, that was declining so fast, as the free use of the Scriptures; and though these had been set up in the churches a

year ago, yet he pressed, and now procured leave, for private persons to buy Bibles, and keep them in their houses. So this was granted by letters-patents directed to Cromwell, bearing date the 13th of November; the substance of which was, "That the King was desirous to have his subjects attain the knowledge of God's word; which could not be effected by any means so well, as by granting them the free and liberal use of the Bible in the English tongue; which, to avoid dissension, he intended should pass among them only by one translation. Therefore Cromwell was charged to take care, that for the space of five years there should be no impression of the Bible, or any part of it, but only by such as should be assigned by him." But Gardiner opposed this all he could; and one day, in a conference before the King, he provoked Cranmer to shew any difference between the authority of the Scriptures, and of the apostolical canons, which he pretended were equal to the other writings of the apostles. Upon which they disputed for some time; but the King perceived solid learning tempered with great modesty in what Cranmer said; and nothing but vanity and affectation in Gardiner's reasonings. So he took him up sharply, and told him, that Cranner was an old and experienced captain, and was not to be troubled by fresh men and novices.

Collect. Numb 15.

The King designs to marry Anne of Cleves.

The great matter of the King's marriage came on at this time. Many reports were brought the King of the beauty of Anne of Cleves, so that he inclined to ally himself with that family. Both the Emperor and the King of France had courted him to matches which they had projected. The Emperor proposed the Duchess of Milan, his kinswoman, and daughter to the King of Denmark. He was then designing to break the league of Smalcald, and to make himself master of Germany; and therefore he took much pains with the King, to divide him from the princes there; which was in great part effected by the statute for the six Articles: upon which the ambassadors of the princes had complained, and said, That whereas

the King had been in so fair a way of union with them, he had now broke it off, and made so severe a law about communion in one kind, private masses, and the celibate of the clergy, which differed so much from their doctrine, that they could entertain no further correspondence with him, if that law was not mitigated. But Gardiner wrought much on the King's vanity and passions; and told him, that it was below his dignity, and high learning, to have a company of dull Germans and small princes dictate to him in matters of religion. There was also another thing which he oft made use of, (though it argues somewhere a great ignorance of the constitution of the empire,) that the King could not expect these princes would ever be for his supremacy; since, if they acknowledged that in him, they must likewise yield it to the Emperor. This was a great mistake; for as the princes of Germany never acknowledged the Emperor to have a sovereignty in their dominions; so they did acknowledge the diet, in which the sovereignty of the empire lies, to have a power of making or changing what laws they pleased about religion. And in things that were not determined by the diet, every prince pretended to it as highly in his own dominions as the King could do in England. But, as untrue as this allegation was, it served Gardiner's turn: for the King was sufficiently irritated with it against the princes; so that there was now a great coldness in their correspondence. Yet the project of a match with the Duchess of Milan failing, and those proposed by France not being acceptable, Cromwell moved the King about an alliance with the Duke of Cleves; who, as he was the Emperor's neighbour in Flanders, had also a pretension to the duchy of Gueldre, and his eldest daughter was married to the Duke of Saxony. So that the King, having then some apprehensions of a war with the Emperor, this seemed a very proper alliance to give him a diversion.

There had been a treaty between her father and the Duke of Lorrain, in order to a match between the Duke of Lorrain's son and her: but they both being

under age, it went no further than a contract between their fathers. Hans Holbein, having taken her picture, sent it over to the King. But in that he bestowed the common compliment of his art somewhat too liberally on a lady that was in a way to be Queen. The King liked the picture better than the original, when he had the occasion afterwards to compare them. The Duke of Saxony, who was very zealous for the Augsburg Confession, finding the King had declined so much from it, dissuaded the match. But Cromwell set it on mightily, expecting a great support from a Queen of his own making, whose friends being all Lutherans, it tended also to bring down the popish party at court, and again to recover the ground they had now lost. Those that had seen the lady did much commend her beauty and person. But she could speak no language but Dutch, to which the King was a stranger: nor was she bred to music, with which the King was much taken. So that, except her person had charmed him, there was nothing left for her to gain upon him by. After some months' treaty, one of the Counts Palatine of the Rhine, with other ambassadors from the Duke of Saxony, and her brother the Duke of Cleves, (for her father was lately dead,) came over, and concluded the match.

Who comes over to England

In the end of December she was brought over to England: and the King, being impatient to see her, went down incognito to Rochester. But when he had a sight of her, finding none of those charms which he was made believe were in her, he was so extremely surprised, that he not only did not like her, but took an aversion to her, which he could never after overcome. He swore they had brought over a Flanders mare to him; and was sorry he had gone so far, but glad it had proceeded no further. And presently he resolved, if it were possible, to break off the matter, and never to yoke himself with her. But his affairs were not then in such a condition, that he could safely put that affront on the Dukes of Saxony and Cleves, which the sending back of this lady would have done. For the Germans, being of all nations most sensible

But is much disliked by the King.

of every thing in which the honour of their family is touched, he knew they would resent such an injury: and it was not safe for him to adventure that at such a time. For the Emperor was then in Paris, whither he had gone to an interview with Francis: and his reception was not only as magnificent as could be, but there was all the evidence possible of hearty friendship and kindness. The king also understood, that between them there was somewhat projected against himself. And now Francis, that had been as much obliged by him as possibly one prince could be by another, was not only forgetful of it, but intended to take advantage from the distractions and discontents of the English, to drive them out of France, if it were possible. And it is not to be doubted, but the Emperor would gladly have embroiled these two Kings, that he might have a better opportunity both to make himself master of Germany, and to force the King of England into an alliance, by which the Lady Mary should be legitimated, and the princes of Germany be left destitute of a support, which made them insolent and intractable. The King apprehended the conjunction of those two great Princes against himself, which was much set forward by the Pope; and that they would set up the King of Scotland against him, who, with that foreign assistance, and the discontents at home, would have made war upon great advantages; especially those in the north of England being ill affected to him: and therefore he judged it necessary for his affairs not to lose the princes of Germany. Only he resolved, first, to try if any nullities or pre-contracts could excuse him fairly at their hands. He returned to Greenwich very melancholy. He much blamed the Earl of Southampton, who, being sent over to receive her at Calais, had written a high commendation of her beauty. But he excused himself, that he thought the thing was so far gone, that it was decent to write as he had done. The King lamented his condition in that marriage; and expressed great trouble, both to the Lord Russel, Sir Anthony Brown, Sir Anthony Denny, and others about him. The

last of those told him, "This was one advantage that mean persons had over princes: that great princes must take such wives as are brought them, whereas meaner persons go and choose wives for themselves." But when the King saw Cromwell, he gave his grief a freer vent to him. He, finding the King so much troubled, would have cast the chief blame on the Earl of Southampton, for whom he had no great kindness: and said, when he found her so far short of what reports and pictures had made her, he should have stayed her at Calais, till he had given the King notice of it. But the Earl's commission being only to bring her over, he said, it had been too great a presumption in him to have interposed in such a manner. And the King was convinced he was in the right. So now, all they had to insist on was, the clearing of that contract that had passed between her and the Marquis of Lorrain: which the ambassadors, who had been with the King, had undertaken should be fully done, and brought over with her in due form of law. So, after the lady was brought in great state to Greenwich, the council met, and sent for the ambassadors of the Duke of Cleves that conducted her over; and desired to see what they had brought for clearing the breach of that contract with the Marquis of Lorrain. But they had brought nothing, and made no account of it; saying, that the contract was in their minority, when they could give no consent; and that nothing had followed on it after they came to be of age. But this did not satisfy the King's council, who said, these were but their words, and they must see better proofs. The King's marriage was annulled with Anne Boleyn upon a pre-contract; therefore he must not again run the like hazard. So Olisleger and Hogesden, the ambassadors from Cleves, did by a formal instrument protest before Cromwell, that in a peace made between their late master, John, duke of Cleves, and Anthony, duke of Lorrain, one of the conditions was, that this lady, being then under age, should be given in marriage to Francis, son to the Duke of Lorrain, who was likewise under age; which treaty they affirmed they

saw and read. But that afterwards Henry de Groffe, ambassador of Charles, duke of Gueldres, upon whose mediation that peace had been concluded, declared in their hearing, that the espousals were annulled and of no effect; and that this was registered in the chancery of Cleves, of which they promised to bring an authentical extract, within three months, to England. Some of the counsellors, who knew the King's secret dislike of her person, would have insisted more on this. But the Archbishop of Canterbury, and the Bishop of Duresme, said, if there was no more than that, it could be no just hinderance to the solemnization of the marriage. So the King, seeing there was no 1540.
remedy, and being much pressed both by the ministers of Cleves, and by the Lord Cromwell, married her on But yet married her.
the 6th of January: but expressed so much aversion and dislike of her, that every body about him took notice of it. Next day the Lord Cromwell asked him, how he liked her then? He told him, "He was not every man;" therefore he would be free with him: he liked her worse than he did. He suspected she was no And could never love her.
maid; and had such ill smells about her, that he loathed her more than ever, and did not believe he should ever consummate the marriage. This was sad news to Cromwell, who knew well how delicate the King was in these matters; and that so great misfortune must needs turn very heavy on him, that was the chief promoter of it. He knew his enemies would draw great advantages from this; and understood the King's temper too well, to think his greatness would last long, if he could not induce the King to like the Queen better. But that was not to be done; for though the King lived five months with her in that state, and very oft lay in the bed with her, yet his aversion rather increased than abated. She seemed not much concerned at it: and as their conversation was not great, so she was of a heavy composition, and was not much displeased to be delivered from a marriage in which she had so little satisfaction. Yet one thing shews that she wanted not capacity, for she learned the English language very soon: and before

her marriage was annulled, she spoke English freely; as appears by some of the depositions.

There was an instrument brought over from Cleves, taken out of the chancery there, by which it appeared, that Henry de Groffe, ambassador from the Duke of Gueldres, had, on the 15th of February in the year 1535, declared the nullity of the former contract, in express words, which are set down in High Dutch, but thus put in Latin: *Sponsalia illa progressum suum non habitura*, (I will not answer for the Latin,) *ex quo dictus Dux Carolus admodum doleret, et propterea quædam fecisset, et amplius facturus esset:* and Pallandus, that was ambassador from the Duke of Cleves in the Duke of Gueldres' court, wrote to his master, *Illustrissimum Ducem Gueldriæ certo scire prima illa sponsalia inter Domicellam Annam fore inania et progressum suum non habitura.* When this was shewed the King, his council found great exceptions to it, upon the ambiguity of the word *sponsalia;* it not being expressed, whether they were espousals by the words of the present, or of the future tense; and intended to make use of that when there should be a fit opportunity for it.

A parliament called.

On the 12th of April a session of parliament was held. The Journal shews that neither the Abbot of Westminster, nor any other abbot, was present. After the Lord Chancellor had opened the reasons for the King's meeting them at that time, as they related to the civil government, Cromwell as lord vicegerent spake next in the King's name; and said, "There was nothing which the King so much desired, as a firm union among all his subjects, in which he placed his chief security. He knew there were many incendiaries, and much cockle grew up with the wheat. The rashness and licentiousness of some, and the inveterate superstition and stiffness of others, in the ancient corruptions, had raised great dissensions, to the sad regret of all good Christians. Some were called papists, others heretics; which bitterness of spirit seemed the more strange since now the Holy Scriptures, by the King's great care of his people, were in all their

Where Cromwell speaks as lord vicegerent.

hands, in a language which they understood. But these were grossly perverted by both sides; who studied rather to justify their passions out of them, than to direct their belief by them. The King leaned neither to the right nor to the left hand, neither to the one nor the other party; but set the pure and sincere doctrine of the Christian faith only before his eyes: and therefore was now resolved to have this set forth to his subjects, without any corrupt mixtures; and to have such decent ceremonies continued, and the true use of them taught, by which all abuses might be cut off, and disputes about the exposition of the Scriptures cease, that so all his subjects might be well instructed in their faith, and directed in the reverent worship of God; and resolved to punish severely all transgressors, of what sort or side soever they were. The King was resolved, that Christ, that the gospel of Christ, and the truth, should have the victory; and therefore had appointed some bishops and divines to draw up an exposition of those things that were necessary for the institution of a Christian man; who were, the two Archbishops, the Bishops of London, Duresme, Winchester, Rochester, Hereford, and St. David's; and Doctors Thirleby, Robertson, Cox, Day, Oglethorp, Redmayn, Edgeworth, Crayford, Symonds, Robins, and Tresham. He had also appointed others, to examine what ceremonies should be retained, and what was the true use of them; who were the Bishops of Bath and Wells, Ely, Sarum, Chichester, Worcester, and Landaff. The King had also commanded the judges, and other justices of the peace, and persons commissioned for the execution of the act formerly passed, to proceed against all transgressors, and punish them according to law. And he concluded with a high commendation of the King, whose due praises, he said, a man of far greater eloquence than himself was, could not fully set forth." The Lords approved of this nomination, and ordered, that these committees should sit constantly, on Mondays, Wednesdays, and Fridays; and on other days they were to sit in the afternoon. But their proceedings will

require so full a relation, that I shall first open the other affairs that passed in this session, and leave these to the last.

He is made Earl of Essex.

On the 14th of April the King created Cromwell Earl of Essex; the male line of the Bourchiers, that had carried that title, being extinguished. This shews that the true causes of Cromwell's fall must be found in some other thing than his making up the King's marriage; who had never thus raised his title, if he had intended so soon to pull him down.

The suppression of the knights of St John of Jerusalem.

On the 22d of April, a bill was brought in for suppressing the knights of St. John of Jerusalem. Their first foundation was to be a guard to the pilgrims that went to the Holy Land. For some ages that was extolled as the highest expression of devotion and reverence to our Saviour, to go and view the places of his abode; and chiefly the places where he was crucified, buried, and ascended to heaven. Upon which, many entered into a religious knighthood, who were to defend the Holy Land, and conduct the pilgrims. Those were of two sorts; the knights templars and hospitallers. The former were the greater and richer, but the other were also very considerable. The popes and their clergy did every where animate all princes, and great persons, to undertake expeditions into these parts; which were very costly and dangerous, and proved fatal to almost all the princes that made them. Yet the belief of the pains of purgatory, from which all were delivered by the Pope's power, who went on this expedition, such as died in it being also reckoned martyrs, wrought wonderfully on a blind and superstitious age. But such as could not go, were persuaded, that if on their death-beds they vowed to go upon their recovery, and left some lands to maintain a knight that should go thither and fight against the infidels, it would do as well. Upon this, great and vast endowments were made. But there were many complaints made of the templars, for betraying and robbing the pilgrims, and other horrid abuses, which may reasonably be believed to have been true; though other writers of that age lay the blame rather on the

covetousness of the King of France, and the Pope's malice to them: yet, in a general council, the whole order was condemned and suppressed, and such of them as could be taken were cruelly put to death. The order of the hospitallers stood, yet did not grow much after that. They were beaten out of the Holy Land by the sultans, and lately out of the Isle of Rhodes, and were at this time in Malta. Their great master depended on the Pope and the emperor: so it was not thought fit to let a house that was subject to a foreign power stand longer. And it seems they would not willingly surrender up their house, as others had done: therefore it was necessary to force them out of it by an act of parliament, which on the 22d of April was read the first time, and on the 26th the second time, and on the 29th the third time, by which both their house in England, and another they had in Kilmainam in Ireland, were suppressed; great pensions being reserved by the act to the priors, a 1000*l.* to him of St. John's near London, and 500 marks to the other, with very considerable allowances for the knights, which in all amounted to near 3000*l.* yearly. But on the 14th of May the parliament was prorogued to the 25th, and a vote passed that their bills should remain in the state they were in.

Upon their next meeting, as they were going on in their business, a great change of court broke out. For, on the 13th of June, at the council table, the Duke of Norfolk, in the King's name, challenged the Lord Cromwell of high treason, and, arresting him, sent him prisoner to the Tower. He had many enemies among all sorts of persons. The nobility despised him, and thought it lessened the greatness of their titles, to see the son of a blacksmith raised so many degrees above them. His aspiring to the order of the garter was thought inexcusable vanity; and his having so many places heaped on him, as lord privy-seal, lord chamberlain of England, and lord vicegerent, with the mastership of the rolls, with which he had but lately parted, drew much envy on him. All the popish party hated him out of measure. Cromwell's fall

The suppression of the abbeys was laid wholly at his door: the attainders and all other severe proceedings were imputed to his counsels. He was also thought to be the person that had kept the King and the Emperor at such distance: and therefore the Duke of Norfolk and Gardiner, beside private animosities, hated him on that account. And they did not think it impossible, if he were out of the way, to bring on a treaty with the Emperor; which they hoped would open the way for one with the Pope. But other more secret reasons wrought his ruin with the King. The fear he was in of a conjunction between the Emperor and France did now abate; for he understood that it went no further than compliments: and though he clearly discovered, having sent over the Duke of Norfolk to Francis, that he was not to depend much on his friendship; yet, at the same time, he knew that the Emperor would not yield up the duchy of Milan to him, upon which his heart was much set. So he saw they could come to no agreement; therefore he made no great account of the loss of France, since he knew the Emperor would willingly make an alliance with him: the hopes of which made him more indifferent, whether the German princes were pleased with what he did or not: since he had now attained the end he had proposed to himself in all his negotiations with them, which was to secure himself from any trouble the Emperor might give him. Therefore Cromwell's counsels were now disliked, for he had always inclined the King to favour those princes against the Emperor. Another secret cause was, that, as the King had an unconquerable aversion to his Queen, so he was taken with the beauty and behaviour of Mistress Katherine Howard, daughter to the Lord Edmund Howard, a brother of the Duke of Norfolk's. And as this designed match raised the credit of her uncle, so the ill consequences of the former drew him down who had been the chief counsellor in it. The King also found his government was grown uneasy, and therefore judged it was no ill policy to cast over all that had been done amiss upon a minister who had great power

The King in love with Mistress Katherine Howard.

with him; and, being now in disgrace, all the blame of these things would be taken off from the King, and laid on him, and his ruin would much appease discontents, and make them more moderate in censuring the King or his proceedings. It is said that other particulars were charged on him, which lost him the King's favour. If this be true, it is like they related to the encouragement he was said to have given to some reformers, in the opposition they made to the six Articles: upon the execution of which the King was now much set. His fall was so secretly carried, that though he had often before looked for it, knowing the King's uneasy and jealous temper, yet at that time he had no apprehensions of it till the storm broke upon him. In his fall he had the common fate of all disgraced ministers, to be forsaken by his friends and insulted over by his enemies. Only Cranmer retained still so much of his former simplicity, that he could never learn these court arts. Therefore he wrote to the King about him next day; "He much magnified his diligence in the King's service and preservation, and discovering all plots as soon as they were made: that he had always loved the King above all things, and served him with great fidelity and success: that he thought no king of England had ever such a servant: upon that account he had loved him, as one that loved the King above all others. But if he was a traitor, he was glad it was discovered. But he prayed God earnestly to send the King such a counsellor in his stead, who could and would serve him as he had done." This shews both the firmness of Cranmer's friendship to him, and that he had a great soul, not turned by the changes of men's fortunes, to like or dislike them as they stood or declined from their greatness. And had not the King's kindness for Cranmer been deeply rooted, this letter had ruined him: for he was the most impatient of contradiction in such cases that could be. Cromwell's ruin was now decreed; and he, who had so servilely complied with the King's pleasure in procuring some to be attainted the year before, without being brought to

Cranmer's friendship to Cromwell.

make their answer, fell now under the same severity. For, whether it was that his enemies knew, that if he were brought to the bar he would so justify himself, that they would find great difficulties in the process; or whether it was that they blindly resolved to follow that unjustifiable precedent of passing over so necessary a rule to all courts, of giving the party accused a hearing; the bill of attainder was brought into the House of Lords, Cranmer being absent that day, as appears by the Journal, on the 17th of June, and read the first time; and on the 19th was read the second and third time, and sent down to the Commons. By which it appears, how few friends he had in that House, when a bill of that nature went on so hastily. But it seems he found in the House of Commons somewhat of the same measure, which ten years before he had dealt to the Cardinal, though not with the same success: for his matter stuck ten days there. At length a new bill of attainder was brought up, conceived in the House of Commons, with a proviso annexed to it. They also sent back the bill which the Lords sent to them. But it is not clear from the Journals what they meant by these two bills. It seems they rejected the Lords' bill, and yet sent it up with their own, either in respect to the Lords, or that they left it to their choice, which of the two bills they would offer to the royal assent. But though this be an unparliamentary way of proceeding, I know no other sense which the words of the Journal can bear * And that very day the King assented to it, as appears by the letter written the next day by Cromwell to the King.

Cromwell's attainder Collect. Numb. 16.

The act said, "that the King, having raised Thomas Cromwell from a base degree to great dignities and high trusts, yet he had now, by a great number of witnesses, persons of honour, found him to be the most

* Journal *Procer. parag.* 58. *Item billa attincturæ Thomæ Cromwell Comitis Essex de crimine hæresis et læsæ majestatis, per Communes de novo concepta, et assensa, et simul cum provisione eidem annexa. Quæ quidem billa* 1°, 2do, *et* 3tio, *lecta est; et proviso quidem concernens Decanatum Wellensem perlecta est, et* communi omnium Procerum consensu nemine discrepante expedita; *et simul cum ea referebatur billa attincturæ quæ prius missa erat in Domum Communium.*

corrupt traitor, and deceiver of the King and the crown, that had ever been known in his whole reign. He had taken upon him to set at liberty divers persons put in prison for misprision of treason, and others that were suspected of it. He had also received several bribes, and for them granted licenses to carry money, corn, horses, and other things out of the kingdom, contrary to the King's proclamations. He had also given out many commissions without the King's knowledge; and, being but of a base birth, had said, 'That he was sure of the King.' He had granted many passports, both to the King's subjects and foreigners, for passing the seas, without search. He, being also a heretic, had dispersed many erroneous books among the King's subjects, particularly some that were contrary to the belief of the sacrament. And when some had informed him of this, and had shewed him these heresies in books printed in England, he said, 'they were good, and that he found no fault in them;' and said, 'it was as lawful for every Christian man to be the minister of that sacrament as a priest.' And whereas the King had constituted him vicegerent for the spiritual affairs of the church; he had, under the seal of that office, licensed many that were suspected of heresy to preach over the kingdom; and he had, both by word and in writing, suggested to several sheriffs, that it was the King's pleasure they should discharge many prisoners, of whom some were indicted, others apprehended for heresy. And when many particular complaints were brought to him of detestable heresies, with the names of the offenders, he not only defended the heretics, but severely checked the informers; and vexed some of them by imprisonment, and other ways. The particulars of all which were too tedious to be recited. And he, having entertained many of the King's subjects about himself, whom he had infected by heresy, and imagining he was by force able to defend his treasons and heresies; on the last of March, in the thirtieth year of the King's reign, in the parish of St Peter's the Poor in London, when some of them complained to him of the new preachers, such as Barnes

and others, he said, 'their preaching was good;' and said also, among other things, 'that if the King would turn from it, yet he would not turn: and if the King did turn, and all his people with him, he would fight in the field in his own person, with his sword in his hand against him, and all others:' and then he pulled out his dagger, and held it up, and said, 'or else this dagger thrust me to the heart, if I would not die in that quarrel against them all; and I trust, if I live one year or two, it shall not be in the King's power to resist, or let it, if he would:' and, swearing a great oath, said, 'I would do so indeed.' He had also, by oppression and bribery, made a great estate to himself, and extorted much money from the King's subjects; and being greatly enriched, had treated the nobility with much contempt. And on the last of January, in the thirty-first year of the King's reign, in the parish of St. Martin's in the Fields, when some had put him in mind to what the King had raised him, he said, 'If the Lords would handle him so, he would give them such a breakfast as was never made in England; and that the proudest of them should know it.' For all which treasons and heresies, he was attainted to suffer the pains of death for heresy and treason, as should please the King, and to forfeit all his estate and goods to the King's use, that he had on the last of March, in the thirty-first year of the King's reign, or since that time. There was added to this bill, a proviso,* that this should not be hurtful to the Bishop of Bath and Wells, and to the Dean and Chapter of Wells: with whom, it seems, he had made some exchanges of land."

Censures passed upon it.

From these particulars the reader will clearly see, why he was not brought to make his answer, most of them relating to orders and directions he had given, for which it is very probable he had the King's warrant. And for the matter of heresy, it has appeared how far the King had proceeded towards a reformation, so that what he did that way was most likely done by the King's order: but the King now falling

* Cromwell was then dean of Wells, and that was the reason of the proviso.

from these things, it was thought they intended to stifle him by such an attainder, that he might not discover the secret orders or directions given him for his own justification. For the particulars of bribery and extortion, they being mentioned in general expressions, seem only cast into the heap to defame him. But for those treasonable words, it was generally thought that they were a contrivance of his enemies; since it seemed a thing very extravagant, for a favourite, in the height of his greatness, to talk so rudely: and if he had been guilty of it, Bedlam was thought a fitter place for his restraint than the Tower. Nor was it judged likely that, he having such great and watchful enemies at court, any such discourses could have lain so long a secret; or if they had come to the King's knowledge, he was not a Prince of such a temper as to have forgiven, much less employed and advanced a man after such discourses. And to think, that, during these fifteen months, after the words were said to have been spoken, none would have had the zeal for the King, or the malice for Cromwell, as to repeat them, were things that could not be believed. The formality of drawing his dagger made it the more suspected; for this was to affix an overt act to these words, which in the opinion of many lawyers, was necessary to make words treasonable. But, as if these words had not been ill enough, some writers since have made them worse; as if he had said, he would "thrust his dagger in the King's heart:" about which Fuller hath made another story to excuse these words, as if they had not been meant of the King, but of another. But all that is founded on a mistake, which, if he had looked in the record, he had corrected.

The King designs a divorce from his Queen

Cromwell's fall was the first step towards the King's divorce; for, on the 25th of June, he sent his Queen to Richmond, pretending the country air would agree better with her: but on the 6th of July a motion was made and assented to in the House of Lords, that they should make an address to the King, desiring him to suffer his marriage with the Queen to be tried.

Upon which the Lord Chancellor, the Archbishop of Canterbury, the Dukes of Norfolk and Suffolk, the Earl of Southampton, and the Bishop of Duresme, were sent down to the Commons to represent the matter to them, and to desire their concurrence in the address; to which they agreed, and ordered twenty of their number to go along with the Peers. So the whole house of Lords, with these Commoners, went to the King, and told him they had a matter of great consequence to propose to him, but it was of that importance that they first begged his leave to move it. That being obtained, they desired the King would order a trial to be made of the validity of his marriage. To which the King consented; and made a deep protestation, as in the presence of God, that he should conceal nothing that related to it, and all its circumstances; and that there was nothing he held dearer than the glory of God, the good of the commonwealth, and the declaration of truth. So a commission was issued out to the convocation to try it.

It is referred to the convocation

On the 7th of July it was brought before the convocation, of which the reader will see a fuller account in the Collection at the end than is needful to be brought in here. The case was opened by the Bishop of Winchester, and a committee was appointed to consider it; and they deputed the Bishops of Duresme and Winchester, and Thirleby, and Richard Leighton, dean of York, to examine the witnesses that day. And the next day they received the King's deposition, with a long declaration of the whole matter, under Cromwell's hand, in a letter to the King; and the depositions of most of the privy-counsellors, of the Earl of Southampton, the Lord Russel, then admiral, of Sir Anthony Brown, Sir Anthony Denny, Doctor Chambers, and Doctor Butts, the King's physicians, and of some ladies that had talked with the Queen. All which amounted to this; that the King expected that the pre-contract with the Marquis of Lorrain should have been more fully cleared; that the King always disliked her, and married her full sore against his heart, and since that time he had never con-

Collect. Numb 17. Collect. Numb 18

Reasons pretended for it.

summated the marriage. So the substance of the whole evidence being considered, it amounted to these three particulars: First, That there had been a contract between the Marquis of Lorrain and the Queen, which was not sufficiently cleared; for it did not yet appear, whether these espousals were made by the party themselves, or in the words of the present tense. Then it was said, that the King, having married her against his will, he had not given a pure, inward, and complete consent; and since a man's act is only what is inward, extorted or forced promises do not bind. And, thirdly, That he had never consummated the marriage. To which was added, the great interest the whole nation had in the King's having more issue, which they saw he could never have by the Queen. This was furiously driven on by the popish party; and Cranmer, whether overcome with these arguments, or rather with fear, for he knew it was contrived to send him quickly after Cromwell, consented with the rest. So that the whole convocation, without one disagreeing vote, judged the marriage null and of no force, and that both the King and the lady were free from the bond of it. Convocation agree to it. Collect. Numb. 19.

This was the greatest piece of compliance that ever the King had from the clergy: for as they all knew there was nothing of weight in that pre-contract, so they laid down a most pernicious precedent for invalidating all public treaties and agreements; since, if one of the parties being unwilling to it, so that his consent were not inward, he was not bound by it, there was no safety among men more. For no man can know whether another consents inwardly; and when a man does any thing with great aversion, to infer from thence, that he does not inwardly consent, may furnish every one with an excuse to break loose from all engagements; for he may pretend he did it unwillingly, and get his friends to declare that he privately signified that to them. And for that argument which was taken from the want of consummation, they had forgotten what was pleaded on the King's behalf ten years before, that consent, without It is censured

consummation, made a marriage complete; by which they concluded, that though Prince Arthur had not consummated his marriage with Queen Katherine, yet his consent did so complete it, that the King could not afterwards lawfully marry her. But as the King was resolved on any terms to be rid of this Queen, so the clergy were resolved not to incur his displeasure; in which they rather sought for reasons to give some colour to their sentence, than pass their judgment upon the strength of them. This only can be said for their excuse, that these were as just and weighty reasons, as used to be admitted by the court of Rome for a divorce; and most of them being canonists, and knowing how many precedents there were to be found for such divorces, they thought they might do it as well as the popes had formerly done.

On the 9th of July sentence was given, which was signed by both houses of convocation, and had the two Archbishops' seals put to it; of which whole trial the record does yet remain, having escaped the fate of the other books of convocation. The original depositions are also yet extant.

Only I shall add here a reflection upon Cromwell's misfortune, which may justly abate the loftiness of haughty men. The day after he was attainted, being required to send to the King a full account under his hand of the business of his marriage; which account he sent, as will be found in the Collection; he concludes it with these abject words: "I, a most woful prisoner, ready to take the death, when it shall please God and your Majesty; and yet the frail flesh inciteth me continually to call to your Grace for mercy, and grace for mine offences. And thus Christ save, preserve, and keep you. Written at the Tower, this Wednesday, the last of June, with the heavy heart, and trembling hand, of your Highness' most heavy, and most miserable prisoner, and poor slave, Thomas Cromwell." And a little below that, "Most gracious Prince, I cry for mercy, mercy, mercy!"

Collect. Numb 17.

Report made to the parliament.

On the 10th of July the Archbishop of Canterbury reported to the House of Lords, that the convocation

had judged the marriage null, both by the law of God, and the law of the land. The Bishop of Winchester delivered the judgment in writing; which being read, he enlarged on all the reasons of it. This satisfied the Lords, and they sent down Cranmer and him to the Commons, to give them the same account. Next day the King sent the Lord Chancellor, the Duke of Norfolk, the Earl of Southampton, and the Bishop of Winchester, to let the Queen know what was done; who was not at all troubled at it, and seemed not ill-pleased. They told her, that the King would by letters-patents declare her his adopted sister, and give her precedence before all the ladies of England, next his Queen and daughters, and assign her an estate of 3000*l.* a year; and that she had her choice, either to li in England, or to return home again. She accepted the offer, and under her hand declared her consent and approbation of the sentence; and chose to live still in England, where she was in great honour, rather than return under that disgrace to her own country. She was also desired to write to her brother, and let him know that she approved of what was done in her matter, and that the King used her as a father, or a brother; and therefore to desire him and her other friends not to take this matter ill, or lessen their friendship to the King. She had no mind to do that, but said, it would be time enough when her brother wrote to her to send him such an answer. But it was answered, that much depended on the first impressions that are received of any matter. She, in conclusion, said, she would obey the King in every thing he desired her to do. So she wrote the letter as they desired it, and the day following, being the 12th of July, the bill was brought into the House for annulling the marriage, which went easily through both Houses.

The Queen consents to it

Collect Numb 20

On the 16th of July, a bill was brought in for moderating the statute of the six Articles in the clauses that related to the marriage of the priests, or their incontinency with other women. On the 17th it was agreed to by the whole House without a contradictory

An act about the incontinence of priests.

vote, and sent down to the Commons; who on the 21st, sent it up again. By it the pains of death were turned to forfeitures of their goods and chattels, and the rents of their ecclesiastical promotions, to the King.

Another about religion.

On the 20th of July, a bill was brought in concerning a declaration of the Christian religion, and was then read the first, second, and third time, and passed without any opposition, and sent down to the Commons; who, agreeing to it, sent it up again the next day. It contained, "That the King, as supreme head of the church, was taking much pains for an union among all his subjects in matters of religion: and, for preventing the further progress of heresy, had appointed many of the bishops and the most learned divines, to declare the principal articles of the Christian belief, with the ceremonies, and way of God's service to be observed. That therefore a thing of that weight might not be rashly done, or hasted through in this session of parliament; but be done with that care which was requisite; therefore it was enacted, that whatsoever was determined by the archbishops, bishops, and the other divines, now commissionated for that effect, or by any others appointed by the King, or by the whole clergy of England, and published by the King's authority, concerning the Christian faith, or the ceremonies of the church, should be believed and obeyed by all the King's subjects; as well as if the particulars so set forth had been enumerated in this act, any custom or law to the contrary notwithstanding." To this, a strange proviso was added, which destroyed the former clause; "that nothing should be done or determined by the authority of this act, which was contrary to the laws and statutes of the kingdom." But whether this proviso was added by the House of Commons, or originally put into the bill, does not appear. It was more likely it was put in at the first by the King's council; for these contradictory clauses raised the prerogative higher, and left it in the judge's power to determine which of the two should be followed; by

which all ecclesiastical matters were to be brought under trials at common law: for it was one of the great designs, both of the ministers and lawyers, at this time, to bring all ecclesiastical matters to the cognizance of the secular judge.

But another bill passed, which seems a little odd, concerning the circumstances of that time. "That whereas many marriages had been annulled in the time of popery, upon the pretence of pre-contracts, or other degrees of kindred, than those that were prohibited by the law of God: therefore, after a marriage was consummated, no pretence of any pre-contract, or any degrees of kindred or alliance, but those mentioned in the law of God, should be brought or made use of to annul it; since these things had been oft pretended only to dissolve a marriage, when the parties grew weary of each other, which was contrary to God's law. Therefore it was enacted, that no pretence of pre-contract, not consummated, should be made use of to annul a marriage duly solemnized, and consummated; and that no degrees of kindred, not mentioned by the law of God, should be pleaded to annul a marriage." The act gave great occasion of censuring the King's former proceedings against Queen Anne Boleyn, since that which was now condemned had been the pretence for dissolving his marriage with her. Others thought the King did it on design to remove that impediment out of the way of the Lady Elizabeth's succeeding to the crown; since that judgment, upon which she was illegitimated, was now indirectly censured: and that other branch of the act, for taking away all prohibitions of marriages, within any degrees but those forbidden in Scripture, was to make way for the King's marriage with Katherine Howard, who was cousin-german to Queen Anne Boleyn; for that was one of the prohibited degrees by the canon law.

Subsidies granted by the clergy.

The province of Canterbury offered a subsidy of four shillings in the pound of all ecclesiastical preferments, to be paid in two years; and that in acknowledgment of the great liberty they enjoyed by being

delivered from the usurpations of the bishops of Rome, and in recompence of the great charges the King had been at, and was still to be at, in building havens, bulwarks, and other forts, for the defence of his coasts, and the security of his subjects. This was confirmed in parliament. But that did not satisfy the King; who had husbanded the money that came in by the sale of abbey lands so ill, that now he wanted money, and was forced to ask a subsidy for his mar-
And laity. riage of the parliament. This was obtained with great difficulty. For it was said, that if the King was already in want, after so vast an income, especially being engaged in no war, there would be no end of his necessities; nor could it be possible for them to supply them. But it was answered, that the King had laid out a great treasure in fortifying the coast; and though he was then in no visible war, yet the charge he was at in keeping up the war beyond sea, was equal to the expense of a war; and much more to the advantage of his people, who were kept in peace and plenty. This obtained a tenth and four fifteenths. After the passing of all these bills, and many others that concerned the public, with several other bills of attainder of some that favoured the Pope's interests, or corresponded with Cardinal Pole, which shall be mentioned in another place, the King sent in a general pardon, with the ordinary exceptions; and, in particular, excepted Cromwell, the Countess of Sarum, with many others, then in prison: some of them were put in for opposing the King's supremacy, and others for transgressing the statute of the six Articles. On the 24th of July the parliament was dissolved.

Cromwell's death. And now Cromwell, who had been six weeks a prisoner, was brought to his execution. He had used all the endeavours he could for his own preservation. Once he wrote to the King in such melting terms, that he made the letter to be thrice read, and seemed touched with it. But the charms of Katherine Howard, and the endeavours of the Duke of Norfolk, and the Bishop of Winchester, at length prevailed:

so a warrant was sent to cut off his head, on the 28th of July, at Tower-hill. When he was brought to the scaffold, his kindness to his son made him very cautious in what he said: he declined the purging of himself, but said: "he was by law condemned to die, and thanked God for bringing him to that death for his offences. He acknowledged his sins against God, and his offences against his Prince, who had raised him from a base degree. He declared that he died in the catholic faith, not doubting of any article of faith, or of any sacrament of the church; and denied that he had been a supporter of those who believed ill opinions: he confessed he had been seduced, but now died in the catholic faith, and desired them to pray for the King, and for the Prince, and for himself:" and then prayed very fervently for the remission of his past sins, and admittance into eternal glory: and having given the sign, the executioner cut off his head very barbarously.

His character

Thus fell that great minister, that was raised merely upon the strength of his natural parts. For as his extraction was mean, so his education was low: all the learning he had was, that he had got the New Testament in Latin by heart. His great wisdom, and dexterity in business, raised him up through several steps, till he was become as great as a subject could be. He carried his greatness with wonderful temper and moderation; and fell under the weight of popular odium rather than guilt. The disorders in the suppression of abbeys were generally charged on him: yet, when he fell, no bribery, nor cheating of the King, could be fastened on him; though such things come out in swarms on a disgraced favourite, when there is any ground for them. By what he spoke at his death, he left it much doubted of what religion he died: but it is certain he was a Lutheran. The term *catholic faith*, used by him in his last speech, seemed to make it doubtful; but that was then used in England in its true sense, in opposition to the novelties of the see of Rome, as will afterwards appear on another occasion. So that his profession of the

catholic faith was strangely perverted, when some from thence concluded, that he died in the communion of the church of Rome. But his praying in English, and that only to God through Christ, without any of those tricks that were used when those of that church died, shewed he was none of their's. With him the office of the King's vicegerent in ecclesiastical affairs died, as it rose first in his person: and as all the clergy opposed the setting up a new officer, whose interest should oblige him to oppose a reconciliation with Rome, so it seems none were fond to succeed in an office that proved so fatal to him that had first carried it. The King was said to have lamented his death, after it was too late; but the fall of the new Queen, that followed not long after, and the miseries which fell also on the Duke of Norfolk and his family, some years after, were looked on as the scourges of Heaven, for their cruel prosecution of this unfortunate minister.

With his fall, the progress of the Reformation, which had been by his endeavours so far advanced, was quite stopped. For all that Cranmer could do after this, was to keep the ground they had gained: but he could never advance much further. And indeed every one expected to see him go next: for, as one Gostwick, knight for Bedfordshire, had named him in the House of Commons as the supporter and promoter of all the heresy that was in England; so the popish party reckoned they had but half done their work by destroying Cromwell; and that it was not finished till Cranmer followed him. Therefore all possible endeavours were used to make discoveries of the encouragement, which, as was believed, he gave to the preachers of the condemned doctrines. And it is very probable, that had not the incontinence of Katherine Howard (whom the King declared Queen on the 8th of August) broken out not long after, he had been sacrificed the next session of parliament.

Designs against Cranmer.

But now I return to my proper business, to give an account of church matters for this year; with

which these great changes in court had so great a relation, that the reader will excuse the digression about them.

Upon Cromwell's fall, Gardiner, and those that followed him, made no doubt but they should quickly recover what they had lost of late years. So their greatest attempt was upon the translation of the Scriptures. The convocation books (as I have been forced often to lament) are lost; so that here I cannot stir, but as Fuller leads me; who assures the world, that he copied out of the Records with his own pen what he published. And yet I doubt he has mistaken himself in the year; and that which he calls the convocation of this year, was the convocation of the year 1542: for he tells us that their seventh session was the 10th of March. Now in this year the convocation did not sit down till the 13th of April; but that year it sat all March. So likewise he tells us of the Bishops of Westminster, Gloucester, and Peterborough, bearing a share in this convocation: whereas these were not consecrated before winter, and could not sit as bishops in this synod. And, besides, Thirleby sat at this time in the lower house; as was formerly shewn in the process about Anne of Cleves' marriage. So that their attempt against the New Testament belongs to the year 1542.

A commission sits about religion

But they were now much better employed, though not in the way of convocation: for a select number of them sat by virtue of a commission from the King, confirmed in parliament. Their first work was to draw up a declaration of the Christian doctrine, "for the necessary erudition of a Christian man."* They thought, that to speak of faith in general ought naturally to go before an exposition of the Christian belief; and therefore with that they began.

An explanation of faith

The church of Rome, that designed to keep her children in ignorance, had made no great account of faith; which, they generally taught, consisted chiefly in an implicit believing whatever the church proposed, without any explicit knowledge of particulars. So

* See below, p. 470.

that a Christian faith, as they had explained it, was a submission to the church. The reformers, finding that this was the spring of all their other errors, and that which gave them colour and authority; did on the other hand, set up the strength of their whole cause on an explicit believing the truth of the Scriptures, because of the authority of God, who had revealed them: and said, that as the great subject of the apostles' preaching was faith, so that which they every where taught, was to read and believe the Scriptures. Upon which followed nice disputing, what was that saving faith by which the Scriptures say we are justified. They could not say it was barely crediting the Divine revelation, since in that sense the devils believed; therefore they generally placed it, at first, in their being assured that they should be saved by Christ's dying for them. In which, their design was to make holiness and all other graces necessary requisites in the composition of faith; though they would not make them formally parts of it. For since Christ's death has its full virtue and effect upon none but those who are regenerate; and live according to his gospel; none could be assured that he should be saved by Christ's death, till he first found in himself these necessary qualifications which are delivered in the gospel. Having once settled on this phrase, their followers would needs defend it, but really made it worse by their explanations. The church of Rome thought they had them at great advantages in it, and called them Solifidians, and said they were against good works: though whatever unwary expressions some of them threw out, they always declared good works indispensably necessary to salvation. But they differed from the church of Rome in two things that were material: there was also a third, but there the difference was more in the manner of expression. The one was, What were good works? The church of Rome had generally delivered, that works which did an immediate honour to God or his saints, were more valuable than works done to other men: and that the honour they did to saints, in their images and relics,

and to God in his priests, that were dedicated to him, were the highest pieces of holiness, as having the best objects. This was the foundation of all that trade, which brought in both riches and glory to their church. On the other hand, the reformers taught, that justice and mercy, with the other good works done in obedience to God's commandments, were only necessary. And for those things, so much magnified at Rome, they acknowledged there ought to be a decent splendour in the worship of God, and good provision to be made for the encouragement of those who dedicated themselves to his service in the church; and that what was beyond these, was the effect of ignorance and superstition. The other main difference was about the merit of good works: which the friars had raised so high, that people were come to think they bought and sold with Almighty God, for heaven and all other his blessings. This the reformers judged was the height of arrogance: and therefore taught, that good works were indeed absolutely necessary to salvation: but that the purchase of heaven was only by the death and intercession of Jesus Christ. With these material differences they joined another, that consisted more in words: Whether obedience was an essential part of faith? The reformers said it certainly accompanied and followed faith: but thought not fit to make it an ingredient in the nature of faith. These things had been now much canvassed in disputes: and it was thought by many, that men of ill lives made no good use of some of the expressions of the reformers, that separated faith from good works, and came to persuade themselves, that if they could but attain to a firm assurance that they should be saved by Christ, all would be well with them. Therefore now, when they went about to state the true notion of faith, Cranmer commanded Dr. Redmayn, who was esteemed the most learned and judicious divine of that time, to write a short treatise on these heads; which he did with that solidity and clearness, that it will sufficiently justify any advantageous character that can be given of the author; and, according to the conclusions of that

treatise, they laid down the nature of faith thus: "That it stands in two several senses in Scripture. The one is a persuasion of the truths, both of natural and revealed religion, wrought in the mind by God's Holy Spirit: and the other is, such a belief as begets a submission to the will of God, and hath hope, love, and obedience to God's commandments joined to it: which was Abraham's faith, and that which, according to St. Paul, wrought by charity, and was so much commended in the Epistle to the Hebrews. That this was the faith which in baptism is professed, from which Christians are called the faithful. And in those Scriptures where it is said, that we are justified by faith, they declared, we may not think that we be justified by faith, as it is a separate virtue from hope and charity, fear of God, and repentance; but by it is meant faith, neither only, nor alone, but with the foresaid virtues coupled together; containing (as is aforesaid) the obedience to the whole doctrine and religion of Christ. But for the definition of faith, which some proposed, as if it were a certainty that one was predestinated, they found nothing of it, either in the Scriptures, or the doctors; and thought that could not be known: for though God never failed in his promises to men, yet, such was the frailty of men, that they often failed in their promises to God, and so did forfeit their right to the promises, which are all made upon conditions that depend on us."

Cranmer's opinion about it

Upon this occasion I shall digress a little, to shew with what care Cranmer considered so weighty a point. Among his other papers, I find a collection of a great many places out of the Scripture, concerning justification by faith, together with a vast number of quotations, out of Origen, Basil, Jerome, Theodoret, Ambrose, Austin, Prosper, Chrysostom, Gennadius, Beda, Hesychius, Theophylact, and Œcumenius; together with many later writers, such as Anselm, Bernard, Peter Lombard, Hugo Cardinalis, Lyranus, and Bruno; in which the sense of those authors in this point did appear; all drawn out with his own hand. To this is added another collection of many places of the fathers,

in which they speak of the merit of good works: and at the end of the whole collection he writes these words, "This proposition, that we be justified by Christ only, and not by our good works, is a very true and necessary doctrine of St. Paul's, and the other apostles, taught by them, to set forth thereby the glory of Christ, and the mercy of God through Christ." And after some further discourse to the same purpose, he concludes, "Although all that be justified must of necessity have charity as well as faith; yet neither faith nor charity be the worthiness nor merits of our justification: but that is to be ascribed only to our Saviour Christ, who was offered upon the cross for our sins, and rose again for our justification." This I set down, to let the world see that Cranmer was not at all concerned in those niceties, which have been so much inquired into since that time, about the instrumentality of faith in justification; all that he then considered being, that the glory of it might be ascribed only to the death and intercession of Jesus Christ.

They explain the Apostles Creed.

After this was thus laid down, there followed an explanation of the Apostles' Creed, full of excellent matters; being a large paraphrase on every article of the Creed, with such serious and practical inferences, that I must acknowledge, after all the practical books we have had, I find great edification in reading that over and over again. The style is strong, nervous, and well fitted for the weakest capacities. There is nothing in this that is controverted between the papists and the reformers, except the definition of the holy catholic church, which they give thus: "That it comprehends all assemblies of men over the whole world, that receive the faith of Christ; who ought to hold an unity of love and brotherly agreement together, by which they become members of the catholic church." Upon which a long excursion is made, to shew the injustice and unreasonableness of the plea of the church of Rome, who place the unity of the catholic church in a submission to the bishop of their city, without any ground from Scripture, or the ancient writers.

The seven sacraments.

From that they proceeded to examine the seven sacraments; and here fell in stiff debates, which remain in some authentic writings, that give a great light to their proceedings. The method which they followed was this:—First, the whole business they were to consider was divided into so many heads, which were proposed as queries, and these were given out to so many bishops and divines; and, at a prefixed time, every one brought his opinion in writing upon all the queries. So, concerning the seven sacraments, the queries were given out to the two Archbishops, the Bishops of London, Rochester, and Carlisle (though the last was not in the commission), and to the Bishops of Duresme, Hereford, and St. David's: for though the Bishop of Winchester was in this commission, yet he did nothing in this particular; but I imagine that he was gone out of town, and that the Bishop of Carlisle was appointed to supply his absence. The queries were also given to Doctor Thirleby, then bishop elect of Westminster, to Doctors Robertson, Day, Redmayn, Cox, Leighton (though not in the commission), Symmonds, Tresham, Coren (though not in the commission), Edgeworth, Oglethorp, Crayford, Wilson, and Robins. When their answers were given in, two were appointed to compare them, and draw an extract of the particulars in which they agreed or disagreed: which the one did in Latin, and the other in English; only those who compared them, it seems, doing it for the Archbishop of Canterbury, took no notice of his opinions in the extract they made. And of these, the original answers of the two Archbishops, the Bishops of London, Rochester, and Carlisle; and these Doctors, Day, Robertson, Redmayn, Cox, Leighton, Symmonds, Tresham, Coren, Edgeworth, and Oglethorp, are yet extant: but the papers given in by the Bishops of Duresme, Hereford, and St. David's, and the elect of Westminster, and Doctors Crayford, Wilson, and Robins, though they are mentioned in the extracts made out of them, yet are lost. This the reader will find in the Collection: which, though it be somewhat

With great maturity

Collect Numb. 21.

large, yet I thought such pieces were of too great importance not to be communicated to the world; since it is, perhaps, as great an evidence of the ripeness of their proceedings as can be shewed in any church, or any age of it. And though other papers of this sort do not occur in this King's reign, yet I have reason to conclude from this instance, that they proceeded with the same maturity in the rest of their deliberations. In which I am the more confirmed, because I find another instance like this, in the reformation that was further carried on in the succeeding reign of Edward VI., of many bishops and divines giving in their opinions, under their hands, upon some heads then examined and changed. In Cranmer's paper, some singular opinions of his about the nature of ecclesiastical offices will be found; but as they are delivered by him with all possible modesty, so they were not established as the doctrine of the church, but laid aside as particular conceits of his own. And it seems, that afterwards he changed his opinion; for he subscribed the book that was soon after set out, which is directly contrary to those opinions set down in these papers. Cranmer was for reducing the sacraments to two; but the popish party was then prevalent, so the old number of seven was agreed to.

Baptism was explained in the same manner that had been done three years before, in the articles then set out, only the matter of original sin was more enlarged on.

Secondly, Penance was formally placed in the absolution of the priest, which, by the former articles, was only declared a thing desirable, and not to be contemned if it might be had; yet all merit of good works was rejected, though they were declared necessary; and sinners were taught to depend wholly on the sufferings of Christ, with other good directions about repentance.

Thirdly, In the explanation of the eucharist, transubstantiation was fully asserted; as also the concomitancy of the blood with the flesh; so that commu-

nion in both kinds was not necessary. The use of hearing mass, though one did not communicate, was also asserted. To which were added, very good rules about the disposition of mind that ought to accompany this sacrament.

Fourthly, Matrimony was said to be instituted of God, and sanctified by Christ. The degrees in the Mosaical law were declared obligatory, and none else; and the bond of marriage was declared not separable on any account.

Fifthly, Orders were to be administered in the church, according to the New Testament; but the particular forms of nominating, electing, presenting, or appointing ecclesiastical ministers, was left to the laws of every country, to be made by the assent of the prince. The office of churchmen was to preach, administer the sacraments, to bind and loose, and to pray for the whole flock: but they must execute these with such limitation as was allowed by the laws of every kingdom. The Scriptures, they said, made express mention only of the two orders of priests and deacons. To these the primitive church had added some inferior degrees, which were also not to be contemned. But no bishop had any authority over other bishops by the law of God. Upon which followed a long digression, confuting the pretensions of the bishops of Rome; with an explanation of the King's authority in ecclesiastical matters, which was beforehand set down in another place, to shew what they understood by the King's being supreme head of the church.

Sixthly, Confirmation was said to have been used in the primitive church, in imitation of the apostles; who by laying on their hands, conferred the Holy Ghost, in an extraordinary manner; and therefore was of great advantage, but not necessary to salvation.

Seventhly, Extreme unction was said to have been derived from the practice of the apostles, mentioned by St. James, for the health both of body and soul; and though the sick person was not always recovered of his bodily sickness by it, yet remission of

sins was obtained by it, and that which God knew to be best for our bodily condition, to whose will we ought always to submit. But this sacrament was only fruitful to those who by penance were restored to the state of grace.

Then followed an explanation of the Ten Commandments, which contains many good rules of morality, drawn from every one of them. The second commandment Gardiner had a mind to have shortened, and to cast it into the first. Cranmer was for setting it down as it was in the law of Moses. But a temper was found: it was placed as a distinct commandment, but not at full length: the words, "For I the Lord thy God," &c. being left out, and only those that go before being set down. In the explanation of this commandment, images were said to be profitable for putting us in mind of the great blessings we have received by our Saviour, and of the virtues and holiness of the saints, by which we were to be stirred up to imitate them: so that they were not to be despised, though we be forbidden to do any godly honour to them; and therefore the superstition of preferring one image to another, as if they had any special virtue in them, or the adorning them richly, and making vows and pilgrimages to them, is condemned; yet the censing of images, and kneeling before them, are not condemned: but the people must be taught that these things were not to be done to the image itself, but to God and his honour. To the third commandment, they reduced the invocation of God's name for his gifts; and they condemned the invocation of saints, when such things were prayed for from them, which were only given by God. This was the giving his glory to creatures: yet to pray to saints as intercessors is declared lawful, and according to the doctrine of the catholic church. Upon the fourth commandment, a rest from labour every seventh day is said to be ceremonial, and such as only obliged Jews; but the spiritual signification of rest among Christians was to abstain from sin and other carnal pleasures. But, besides that, we were also

The Ten Commandments.

bound by this precept sometimes to cease from labour, that we may serve and worship God both in public and private: and that on the days appointed for this purpose, people ought to examine their lives, the past week, and set to amendment, and give themselves to prayer, reading, and meditation: yet in cases of necessity, such as saving their corn and cattle, men ought not superstitiously to think that it is a sin to work on that day, but to do their work without scruple. Then follow very profitable expositions of the other commandments, with many grave and weighty admonitions concerning the duties by them enjoined, and against those sins which are too common in all ages.

The Lord's Prayer. After that, an explanation of the Lord's Prayer was added. In the preface to which, it is said, that it is meet and requisite that the unlearned people should make their prayers in their mother tongue; whereby they may be the more stirred to devotion, and to mind the things they prayed for. Then followed an exposition of the angel's salutation of the blessed Virgin: in which, the whole history of the incarnation of

The Ave Maria Christ was opened, and the Ave Maria explained; which hymn was chiefly to be used in commemoration of Christ's incarnation, and likewise to set forth the praises of the blessed Virgin. The next article

Free-will. is about free-will, which they say must be in man; otherwise all precepts and exhortations are to no purpose. They defined it a power of the will, joined with reason, whereby a reasonable creature, without constraint, in things of reason, discerneth and willeth good and evil; but chooseth good by the assistance of God's grace, and evil of itself. This was perfect in the state of innocency; but is much impaired by Adam's fall, and now by an especial grace (offered to all men, but enjoyed only by those who by their free-will do accept the same), it was restored, that with great watchfulness we may serve God acceptably. And as many places of Scripture shew, that free-will is still in man, so there be many others which shew that the grace of God is necessary, that

doth both prevent us and assist us, both to begin and perform every good work; therefore all men ought most gratefully to receive and follow the motions of the Holy Ghost, and to beg God's grace with earnest devotion, and a stedfast faith; which he will grant to all that so ask it, both because he is naturally good, and he has promised to grant our desires: for he is not the author of sin, nor the cause of man's damnation: but this men draw on themselves, who, by vice, have corrupted these natures which God made good. Therefore all preachers were warned so to moderate themselves in this high point, that they neither should so preach the grace of God as to take away free-will, nor to extol free-will as injury might be done to the grace of God.

Justification.

After this they handled justification. Having stated the miseries of man by nature, and the guilt of sin, with the unspeakable goodness of God in sending Christ to redeem us by his death, who was the mediator betwnen God and man, they next shew how men are made partakers of the blessings which he hath procured. Justification is the making of us righteous before God, whereby we are reconciled to him, and made heirs of eternal life; that by his grace we may walk in his ways, and be reputed just and righteous in the day of judgment, and so attain everlasting happiness. God is the chief cause of our justification: yet man, prevented by grace, is by his free consent and obedience a worker toward the attaining his own justification. For though it is only procured through the merits of Christ's death, yet every one must do many things to attain a right and claim to that which, though it was offered to all, yet was applied but to a few. We must have a steadfast faith, true repentance, real purposes of amendment; committing sin no more, but serving God all our lives; which, if we fall from, we must recover it by penance, fasting, alms, prayer, with other good works, and a firm faith, going forward in mortification and obedience to the laws of God: it being certain, that men might fall away from their justification. All curious reasonings about pre-

destination were to be set apart; there being no certainty to be had of our election, but by feeling the motions of God's Spirit in us, by a good and virtuous life, and persevering in it to the end. Therefore it was to be taught, that as, on the one hand, we are justified freely by the free grace of God; so, on the other hand, when it is said we are justified by faith, it must be understood of such a faith, in which the fear of God, repentance, hope, and charity, be included; all which must be joined together in our justification; and though these be imperfect, yet God accepteth of them freely through Christ.

Good works.

Next, good works were explained, which were said to be absolutely necessary to salvation: but these were not only outward corporal works, but inward spiritual works, as the love and fear of God, patience, humility, and the like: nor were they superstitions and men's inventions, such as those in which monks and friars exercised themselves; nor only moral works done by the power of natural reason; but the works of charity, flowing from a pure heart, a good conscience, and faith unfeigned, which were meritorious towards the attaining of everlasting life. Other works were of an inferior sort; such as fasting, alms-deeds, and other fruits of penance: and the merit of good works is reconciled with the freedom of God's mercies to us, since all our works are done by his grace; so that we have no cause of boasting, but must ascribe all to the grace and goodness of God. The last chapter is about prayers for souls departed, which is the same that was formerly set out in the articles three years before.

All this set forth in a book,

All this was finished and set forth this year,* with a preface, written by those of the clergy who had been employed in it; declaring with what care they had examined the Scriptures, and the ancient doctors, out of whom they had faithfully gathered this expo-

* This is a great mistake. The Necessary Erudition was not set forth or published, before the year 1543, though certain questions concerning the sacraments do appear to have been subjected to examination and discussion in the year 1540; and as the Necessary Doctrine, &c. did not appear till three years afterwards, so is also the author mistaken as to the Preface written by the clergy; no such preface, probably, was ever written, and therefore the King could not have *added* another, as stated in the text.—N.

sition of the Christian faith. To this the King added another preface some years after; declaring that although he had cast out the darkness, by setting forth the Scriptures to his people, which had produced very good effects; yet, as hypocrisy and superstition were purged away, so a spirit of presumption, dissension, and carnal liberty was breaking in. For repressing which he had, by the advice of his clergy, set forth a declaration of the true knowledge of God, for directing all men's belief and practice, which both houses of parliament had seen, and liked very well. And published by the King's authority.

So that he verily trusted it contained a true and sufficient doctrine, for the attaining everlasting life. Therefore, he required all his people to read and print in their hearts, the doctrine of this book. He also willed them to remember, that as there were some teachers whose office it was to instruct the people, so the rest ought to be taught, and to those it was not necessary to read the Scriptures; and that therefore he had restrained it from a great many, esteeming it sufficient for such to hear the doctrine of the Scriptures taught by their preachers, which they should lay up in their hearts, and practise in their lives. Lastly, he desired all his subjects to pray to God to grant them the spirit of humility, that they might read and carry in their hearts the doctrine set forth in this book. But though I have joined the account of this preface to the extract here made of the Bishops' Book, yet it was not prefixed to it till above two years after the other was set out.

When this was published, both parties found cause in it both to be glad and sorrowful. The reformers rejoiced to see the doctrine of the gospel thus opened more and more; for they concluded that ignorance and prejudices, being the chief supports of the errors they complained of, the instructing people in Divine matters, even though some particulars displeased them, yet would awaken and work upon an inquisitive humour that was then a stirring; and they did not doubt but their doctrines were so clear, that inquiries into religion would do their business. They were It is variously censured.

also glad to see the morals of Christianity so well cleared, which they hoped would dispose people to a better taste of Divine matters; since they had observed that purity of soul does mightily prepare people for sound opinions. Most of the superstitious conceits and practices, which had for some ages embased the Christian faith, were now removed; and the great fundamental of Christianity, the covenant between God and man in Christ, with the conditions of it, was plainly and sincerely declared. There was also another principle laid down, that was big with a further reformation; for every national church was declared a complete body within itself, with power to reform heresies, correct abuses, and do every thing else that was necessary for keeping itself pure, or governing its members. By which there was a fair way opened for a full discussion of things afterwards, when a fitter opportunity should be offered. But, on the other hand, the popish party thought they had gained much. The seven sacraments were again asserted, so that here much ground was recovered, and they hoped more would follow. There were many things laid down, to which they knew the reformers would never consent. So that they, who were resolved to comply with every thing that the King had a mind to, were pretty safe. But the others who followed their persuasions and consciences, were brought into many snares; and the popish party was confident that their absolute compliance, which was joined with all possible submission and flattery, would gain the King at length: and the stiffness of others, who would not give that deference to the King's judgment and pleasure, would so alienate him from them, that he would in the end abandon them; for with the King's years his uneasiness and peevishness grew mightily on him.

The dissolution of the King's marriage with Anne of Cleves had so offended the princes of Germany, that though upon the lady's account they made no public noise of it, yet there was little more intercourse between the King and them, especially Cromwell falling, that had always carried on the correspondence

with them. As this intercourse went off, so a secret treaty was set on foot between the King and the Emperor; yet it came not to a conclusion till two years after.

Corrections of the mass-book, and other offices Ex MSS D D Sullingfleet.

The other bishops, that were appointed to examine the rights and ceremonies of the church, drew up a rubric and *rationale* of them, which I do not find was printed; but a very authentical MS. of a great part of it is extant. The alterations they made were inconsiderable, and so slight that there was no need of reprinting either the missals, breviaries, or other offices; for a few razures of other collects, in which the Pope was prayed for, of Thomas Becket's office, and the offices of other saints, whose days were by the King's injunctions no more to be observed, with some other deletions, made that the old books did still serve. For whether it was that the change of the mass-books and other public offices would have been too great a charge to the nation; or whether they thought it would have possessed the people with an opinion that the religion was altered, since the books of the ancient worship were changed, which remaining the same, they might be the more easily persuaded that the religion was still the same; there was no new impression of the breviaries, missals, and other rituals, during this King's reign. Yet in Queen Mary's time they took care that posterity should not know how much was dashed out or changed. For as all parishes were required to furnish themselves with new complete books of the offices, so the dashed books were every where brought in, and destroyed. But it is likely that most of those scandalous hymns and prayers which are addressed to saints in the same style in which good Christians worship God, were all struck out, because they were now condemned, as appears from the extract of the other book set out by the bishops.

A persecution of protestants.

But as they went on in these things, the popish party, whose counsels were laid very close, and managed with great dexterity, chiefly by the Duke of Norfolk and Gardiner, pursued the ruin of those whom they called heretics, knowing well that if the

King was once set against them, and they provoked against the government, he would be not only alienated from them, but forced, for securing himself against them, to gain the hearts of his other subjects by a conjunction with the Emperor, and by his means with the Pope. The first on whom this design took effect were Doctor Barnes, Mr. Gerrard, and Mr. Jerome; all priests who had been among the earliest converts to Luther's doctrine. Barnes had, in a sermon at Cambridge, during the Cardinal's greatness, reflected on the pomp and state in which he lived so plainly, that every body understood of whom he meant. So he was carried up to London; but, by the interposition of Gardiner and Fox, who were his friends, he was saved at that time, having abjured some opinions that were objected to him. But other accusations being afterwards brought against him, he was again imprisoned, and it was believed that he would have been burnt. But he made his escape and went to Germany, where he gave himself to the study of the Scriptures and divinity; in which he became so considerable, that not only the German divines, but their princes, took great notice of him; and the King of Denmark sending over ambassadors to the King, he was sent with them; though perhaps Fox was ill informed when he says he was one of them. Fox, bishop of Hereford, being at Smalcald, in the year 1536, sent him over to England, where he was received and kindly entertained by Cromwell, and well used by the King. And by his means the correspondence with the Germans was chiefly kept up, for he was often sent over to the courts of the several princes. But, in particular, he had the misfortune to be first employed in the project of the King's marriage with the Lady Anne of Cleves; for that giving the King so little satisfaction, all who were the main promoters of it fell in disgrace upon it.

Of Barnes and others.

But other things concurred to destroy Barnes. In Lent, this year, Bonner had appointed him, and Gerrard, and Jerome, turns in the course of sermons at St. Paul's Cross, they being in favour with Cromwell,

on whom Bonner depended wholly. But Gardiner sent Bonner word that he intended himself to preach on Sunday at St. Paul's Cross; and in his sermon he treated of justification, and other points, with many reflections on the Lutherans. Barnes, when it came to his turn, made use of the same text, but preached contrary doctrine, not without some unhandsome reflections on Gardiner's person; and he played on his name, alluding to a gardener setting ill plants in a garden. The other two preached the same doctrine, but made no reflections on any person. Gardiner seemed to bear it with a great appearance of neglect and indifferency: but his friends complained to the King of the unsufferable insolences of these preachers, who did not spare so great a prelate, especially he being a privy-counsellor. So Barnes was questioned for it, and commanded to go and give the Bishop of Winchester satisfaction. And the Bishop carried the matter with a great show of moderation, and acted outwardly in it as became his function: though it was believed the matter stuck deeper in his heart, which the effects that followed seemed to demonstrate. The King concerned himself in the matter, and did argue with Barnes about the points in difference. But whether he was truly convinced, or overcome rather with the fear of the King than with the force of his reasonings, he and his two friends, William Jerome and Thomas Gerrard, signed a paper (which will be found in the Collection) in which he acknowledged, "That, having been brought before the King, for things preached by him, his Highness, being assisted by some of the clergy, had so disputed with him, that he was convinced of his rashness and oversight; and promised to abstain from such indiscretions for the future, and to submit to any orders the King should give for what was past." Collect. Numb. 28.

The articles were, "First, That, though we are redeemed only by the death of Christ, in which we participate by faith and baptism, yet, by not following the commandments of Christ, we lose the benefits of it, which we cannot recover but by penance.

"Secondly, That God is not the author of sin, or evil, which he only permits.

"Thirdly, That we ought to reconcile ourselves to our neighbours, and forgive, before we can be forgiven.

"Fourthly, That good works done sincerely according to the Scriptures, are profitable and helpful to salvation.

"Fifthly, That laws made by Christian rulers ought to be obeyed by their subjects for conscience sake; and that whosoever breaks them breaks God's commandments."

It is not likely that Barnes could say any thing directly contrary to these articles; though, having brought much of Luther's heat over with him, he might have said some things that sounded ill upon these heads. There were other points in difference between Gardiner and him, about justification; but it seems the King thought these were of so subtle a nature, that no article of faith was controverted in them; and therefore left the Bishop and him to agree these among themselves, which they in a great measure did. So the King commanded Barnes and his friends to preach at the Spittle in the Easter-week, and openly to recant what they had formerly said. And Barnes was in particular to ask the Bishop of Winchester's pardon, which he did; and Gardiner being twice desired by him to give some sign that he forgave him, did lift up his finger. But in their sermons, it was said, they justified in one part what they recanted in another. Of which complaints being brought to the King, he, without hearing them, sent them all to the Tower; and Cromwell's interest at court was then declining so fast, that either he could not protect them, or else would not prejudice himself by interposing in a matter which gave the King so great offence. They lay in the Tower till the parliament met, and then they were attainted of heresy, without ever being brought to make their answer. And it seems for the extraordinariness of the thing, they resolved to mix attainders for things that were very different from one another. For four others were by the

Who were condemned in parliament

same act attainted of treason, who were Gregory Buttolph, Adam Damplip, Edmund Brindholme, and Clement Philpot, for assisting Reginald Pole, adhering to the Bishop of Rome, denying the King to be the supreme head on earth of the church of England, and designing to surprise the town of Calais. One Derby Gunnings was also attainted of treason for assisting one Fitzgerald, a traitor, in Ireland. And after all these, Barnes, Gerrard, and Jerome, are attainted of heresy, being, as the act says, "Detestable heretics, who had conspired together to set forth many heresies, and, taking themselves to be men of learning, had expounded the Scriptures, perverting them to their heresies, the number of which was too long to be repeated; that having formerly abjured, they were now incorrigible heretics, and so were condemned to be burnt, or suffer any other death, as should please the King." And two days after Cromwell's death, being the 30th of July, they were brought to Smithfield, where, in their execution, there was as odd a mixture as had been in their attainders: for Abel, Fetherstom, and Powel, that were attainted by another act of the same parliament for owning the Pope's supremacy, and denying the King's, were carried to the place of execution, and coupled with the other three. So that one of each was put into a hurdle, and carried together, which every body condemned as an extravagant affectation of the show of impartial justice.

Their speeches at the stake.

When they were brought to the stake, Barnes spake thus to the people: "Since he was to be burnt as an heretic, he would declare what opinions he held. So he enlarged on all the articles of the Creed, to shew he believed them all. He expressed a particular abhorrence of an opinion which some anabaptists held, that the blessed Virgin was as a saffron bag; (by which indecent simile they meant that our Saviour took no substance of her.) He explained his opinion of good works; that they must of necessity be done, since without them none should ever enter into the kingdom of God. They were commanded of God, to shew forth our profession by them: but he believed, as they

were not pure nor perfect, so they did not avail to our justification, nor merit any thing at the hands of God; for that was to be ascribed to the merits of the death and passion of Christ. He professed great reverence to the blessed Virgin and saints: but said, he saw no warrant in Scripture for praying to them: nor was it certain whether they prayed for us or not; but if the saints did pray for those on earth, he trusted within half an hour to be praying for them all." Then he asked the Sheriff if he had any articles against them, for which they were condemned: who answered he had none. He next asked the people, if they knew wherefore he died, or if they had been led into any errors by his preaching; but none made answer. Then he said, he heard he was condemned to die by an act of parliament; and it seemed it was for heresy, since they were to be burnt. He prayed God to forgive those who had been the occasions of it: and in particular, for the Bishop of Winchester; if he had sought or procured his death, he prayed God heartily to forgive him, as Christ forgave his murderers. He prayed earnestly for the King and the Prince; and exhorted the people to pray for them. He said, some had reported that he had been a preacher of sedition and disobedience: but he declared to the people, that they were bound, by the law of God, to obey their King's laws with all humility, not only for fear, but for conscience; adding, that if the King commanded any thing against God's law, though it were in their power to resist him, yet they might not do it. Then he desired the Sheriff to carry five requests from him to the King.

"First, That since he had taken the abbey lands into his hands, for which he did not blame him, (as the Sheriff fancied he was about to do, and thereupon stopped him,) but was glad that superstition was taken away, and that the King was then a complete King, obeyed by all his subjects; which had been done through the preaching of them, and such wretches as they were; yet he wished the King would bestow

these goods, or some of them, to the comfort of his poor subjects who had great need of them.

"Secondly, That marriage might be had in greater esteem, and that men might not upon light pretences cast off their wives; and those who were unmarried might not be suffered to live in whoredom.

"Thirdly, That abominable swearers might be punished.

"Fourthly, That since the King had begun to set forth Christian religion, he would go forward in it, and make an end: for though he had done a great deal, yet many things remained to be done, and he wished that the King might not be deceived with false teachers."

The fifth desire, he said, he had forgot.

Then he begged that they all would forgive him, if at any time he had said or done evil unadvisedly: and so turned about, and prepared himself for his death.

Jerome spake next, and declared his faith upon every article of the Creed; and said, that he believed all that was in the Holy Scriptures. He also prayed for the King, and the Prince: and concluded with a very pathetical exhortation to mutual love and charity; that they would propose to themselves the pattern of Christ's wonderful love, through whom only he hoped to be saved; and desired all their prayers for himself and his brethren Then Gerrard declared his faith, and said, that if, through ignorance or negligence, he had taught any error, he was sorry for it; and asked God pardon, and them, whom he had thereby offended. But he protested, that, according to his learning and knowledge, he had always set forth the honour of God, and the obedience of the King's laws. Then they all prayed for the pardon of their sins, and constancy and patience in their sufferings: and so they embraced and kissed one another; and then the executioners tied them to the stake, and set fire to them.

Their death did rather encourage than dishearten their followers; who, seeing such an extraordinary measure of patience in them, were the more confirmed

in their resolutions of suffering for a good conscience, and for His name, who did not forsake his servants in these cruel agonies. One difference between their sufferings, and the other three, who were hanged for asserting the Pope's supremacy, was remarkable; that, though the others demeaned themselves toward them with the most uncharitable and spiteful malice that was possible, (so that their own historian says, that their being carried with them to their execution was bitterer to them than death itself;) yet they declared their hearty forgiving of their enemies, and of Gardiner in particular, who was generally looked on as the person that procured their death: which imputation stuck fast to him, though by a printed apology he studied to clear himself of any other concernment in it, than by giving his vote for the act of their attainder.

Bonner's cruelty

Now Bonner began to shew his nature. Hitherto he had acted another part: for, being most extremely desirous of preferment, he had so complied with Cromwell and Cranmer, that they had great confidence in him; and he being a blustering and forward man, they thought he might do the Reformation good service, and therefore he was advanced so high by their means. But as soon as ever Cromwell fell, the very next day he shewed his ingratitude, and how nimbly he turned with the wind. For Grafton the printer, (whom Cromwell favoured much for his printing the Bible, and who was by that means very familiar with Bonner,) meeting him, said, he was very sorry for the news he had heard of Cromwell's being sent to the Tower. Bonner answered, it had been good he had been dispatched long ago. So the other shrunk away, perceiving the change that was in him. And some days after that, Grafton being brought before the council, for some verses which he was believed to have printed in commendation of Cromwell, Bonner informed the council of what Grafton had said to him upon Cromwell's being arrested, to make the other charge seem the more probable. Yet Audley the chancellor was Grafton's friend, and brought him off. But

Bonner gave the city of London quickly cause to apprehend the utmost severities from him: for many were indicted by his procurement. Yet the King was loath to give too many instances of cruelty, in this declination of his age; and therefore, by an order from the Star Chamber, they were discharged. But, upon what motives I cannot fancy, he picked out an instance, which, if the deeper stains of his following life had not dashed all particular spots, had been sufficient to have blemished him for ever. There was one Richard Mekins, a boy not above fifteen years of age, and both illiterate and very ignorant, who had said somewhat against the corporal presence of Christ's body in the sacrament, and in commendation of Doctor Barnes. Upon this he was indicted. The words were proved by two witnesses, and a day was appointed for the juries to bring in their verdict. The day being come, the grand jury was called for; then the foreman said, they had found nothing. This put Bonner in a fury, and he charged them with perjury: but they said they could find nothing, for the witnesses did not agree. The one deposed, that he had said the sacrament was nothing but a ceremony; and the other, that it was nothing but a signification. But Bonner still persisted, and told them, that he had said that Barnes died holy. But they could not find these words to be against the statute. Upon which Bonner cursed, and was in a great rage, and caused them to go aside again: so they, being overawed, returned and found the indictment. Then sat the jury upon life and death, who found him guilty: and he was adjudged to be burnt. But when he was brought to the stake, he was taught to speak much good of Bonner, and to condemn all heretics, and Barnes in particular, saying he had learned heresy of him. Thus the boy was made to die with a lie in his mouth. For Barnes held not that opinion of the sacrament's being only a ceremony or signification, but was a zealous Lutheran: which appeared very signally on many occasions, chiefly in Lambert's case. Three others were also burnt at Salisbury, upon the same statute, one or

whom was a priest. Two also were burnt at Lincoln in one day: besides, a great number of persons were brought in trouble, and kept long in prison upon the statute of the six Articles. But more blood I find not spilt at this time.

New bishopricks founded.

In the end of this year were the new bishopricks founded. For in December was the abbey of Westminster converted into a bishop's see, and a deanery and twelve prebends, with the officers for a cathedral and a choir. And in the year following, on the 4th of August, the King erected out of the monastery of St. Werburg at Chester, a bishoprick, a deanery, and six prebends. In September, out of the monastery of St. Peters at Gloucester, the King endowed a bishoprick, a deanery, and six prebendaries. And in the same month, the abbey of Peterborough was converted to a bishop's seat, a deanery, and six prebendaries. And, to lay this whole matter together, two years after this, the abbey of Osney in Oxford, was converted into a bishoprick, a deanery, and six prebends. And the monastery of St. Austin's in Bristol was changed into the same use. There are many other grants also in the rolls, both to the bishops, and deans, and chapters, of these sees. But these foundations will be better understood by their charters: of which, since the bishoprick of Westminster is least known, because long ago suppressed, I have chosen to set down the charter of that see, which the reader will find in the Collection: and they running all in the same style, one may serve for the rest. The substance of the preamble is, "That the King, being moved by the grace of God, and intending nothing more than that true religion, and the sincere worship of God, should not be abolished, but rather restored to the primitive sincerity, and reformed from those abuses with which the profession and the lives of the monks had so long and so lamentably corrupted religion; had, as far as human infirmity could foresee, designed that the word of God might be sincerely preached, the sacraments purely administered, good order kept up, the youth well instructed, and old people relieved, with other

Collect Numb 23

public alms-deeds: and therefore the King erected and endowed these sees." The day after these several grants, there followed a writ to the Archbishop, containing, that the King had appointed such a person to be bishop of that see, requiring him to consecrate and ordain him in due form. Then the priories at most cathedrals, such as Canterbury, Winchester, Duresme, Worcester, Carlisle, Rochester, and Ely, were also converted into deaneries, and colleges of prebends, with many other officers, and an allowance of charity to be yearly distributed to the poor.

Cranmer's design miscarries.

But all this came far short of what the King had once intended, so Cranmer's design was quite disappointed. For he had projected, that in every cathedral there should be provision made for readers of divinity, and of Greek, and Hebrew; and a great number of students to be both exercised in the daily worship of God, and trained up in study and devotion, whom the bishop might transplant out of this nursery, into all the parts of his diocese. And thus every bishop should have had a college of clergymen under his eye, to be preferred according to their merit. He saw great disorders among some prebendaries, and, in a long letter, the original of which I have seen, he expressed his regret that these endowments went in such a channel. Yet now his power was not great at court, and the other party run down all his motions. But those who observed things narrowly, judged, that a good mixture of prebendaries, and of young clerks, bred up about cathedrals, under the bishop's eye, and the conduct and direction of the dean and prebendaries, had been one of the greatest blessings that could have befallen the church: which not being sufficiently provided of houses for the forming of the minds and manners of those who are to be received into orders, has since felt the ill effects of it very sensibly. Against this, Cranmer had projected a noble remedy, had not the popish party then at court, who very well apprehended the advantages such nurseries would have given to the Reformation, borne down this proposition, and turned all the King's bounty and foundations another way.

These foundations censured.

These new foundations gave some credit to the King's proceedings, and made the suppression of chantries and chapels go on more smoothly. But those of the Roman party beyond sea censured this, as they had done all the rest of the King's actings. They said it was but a slight restitution of a small part of the goods, of which he had robbed the church. And they complained of the King's encroaching on the spiritual jurisdiction of the church, by dismembering dioceses, and removing churches from one jurisdiction to another. To this it was answered, that the necessities which their practices put on the King, both to fortify his coast and dominions, to send money beyond sea for keeping the war at a distance from himself, and to secure his quiet at home, by easy grants of these lands, made him that he could not do all that he intended. And for the division of dioceses, many things were brought from the Roman law to shew, that the division of the ecclesiastical jurisdiction, whether of patriarchs, primates, metropolitans, or bishops, was regulated by the emperors; of which the ancient councils always approved. And in England, when the bishoprick of Lincoln being judged of too great an extent, the bishoprick of Ely was taken out of it, it was done only by the King, with the consent of his clergy and nobles. Pope Nicolas indeed officiously intruded himself into that matter, by sending afterwards a confirmation of that which was done. But that was one of the greatest arts of the papacy, to offer confirmation of things that were done without the popes. For these being easily received by them, that thought of nothing more than to give the better countenance to their own acts, the popes afterwards founded a right on these confirmations. The very receiving of them was pretended to be an acknowledgment of a title in the pope. And the matter was so artificially managed, that princes were noosed into some approbation of such a pretence before they were aware of it. And then the authority of the canon law prevailing, maxims were laid down in it, by which the most tacit and inconsiderate acts of princes were con

strued to such senses, as still advanced the greatness of the papal pretensions.

This business of the new foundations being thus settled, the matters of the church were now put in a method: and the Bishops' Book was the standard of religion. So that whatsoever was not agreeable to that was judged heretical, whether it leaned to the one side, or the other. But it seems that the King by some secret order had chained up the party, which was going on in the execution of the statute of the six Articles, that they should not proceed capitally.

The state of the court at this time.

Thus matters went this year; and with this the series of the history of the Reformation made by this King ends: for it was now digested and formed into a body. What followed was not in a thread, but now and then some remarkable things were done; sometimes in favour of the one, and sometimes of the other party. For after Cromwell fell, the King did not go on so steadily in any thing as he had done formerly. Cromwell had an ascendant over him, which after Cardinal Wolsey's fall none besides himself ever had. They knew how to manage the King's uneasy and imperious humour: but now none had such a power over him. The Duke of Norfolk was rich and brave, and made his court well, but had not so great a genius; so that the King did rather trust and fear than esteem him. Gardiner was only a tool, and being of an abject spirit, was employed, but not at all reverenced by the King. Cranmer retained always his candour and simplicity, and was a great prelate: but neither a good courtier, nor a statesman. And the King esteemed him more for his virtues, than for his dexterity and cunning in business: so that now the King was left wholly to himself; and being extreme humorous and impatient, there were more errors committed in the last years of his government, than had been for his whole reign before. France forsook him; Scotland made war upon him, which might have been fatal to him, if their King had not died in the beginning of it, leaving an infant Princess, but a few days old, behind him. And though the Emperor made

peace with him, yet it was but a hollow agreement. Of all which I shall give but slender hints in the rest of this book; and rather open some few particulars, than pursue a continued narration, since the matter of my work fails me.

The Bible in English set up in all churches. Collect. Numb. 24

In May, the thirty-third year of the King's reign, a new impression of the Bible was finished, and the King by proclamation, "required all curates and parishioners of every town and parish, to provide themselves a copy of it before All-hallowtide, under the penalty of forfeiting forty shillings a month, after that, till they had one. He declared that he set it forth, to the end that his people might, by reading it, perceive the power, wisdom, and goodness of God: observe his commandments, obey the laws, and their prince, and live in godly charity among themselves. But that the King did not thereby intend that his subjects should presume to expound, or take arguments from Scripture, nor disturb Divine service, by reading it when mass was celebrating; but should read it meekly, humbly, and reverently, for their instruction, edification, and amendment." There was also care taken so to regulate the prices of the Bibles, that there should be no exacting on the subjects in the sale of them. And Bonner, seeing the King's mind was set on this, ordered six of these great Bibles to be set up in several places of St. Paul's; that all persons who could read, might at all times have free access to them. And upon the pillars to which these Bibles were chained, an exhortation was set up, "admonishing all that came thither to read; that they should lay aside vain-glory, hypocrisy, and all other corrupt affections, and bring with them discretion, good intentions, charity, reverence, and a quiet behaviour, for the edification of their own souls; but not to draw multitudes about them, nor to make expositions of what they read, nor to read aloud, nor make noise in time of Divine service, nor enter into disputes concerning it." But people came generally to hear the Scriptures read, and such as could read, and had clear voices, came often thither with great

Collect. Numb. 25

crowds about them. And many set their children to school, that they might carry them with them to St. Paul's, and hear them read the Scriptures. Nor could the people be hindered from entering into disputes about some places; for who could hear the words of the institution of the sacrament, "Drink ye all of it," or St. Paul's discourse against worship in an unknown tongue, and not from thence be led to consider that the people were deprived of the cup, which by Christ's express command was to be drunk by all; and that they were kept in a worship, to which the unlearned could not say Amen, since they understood not what was said, either in the collects or hymns? So the King had many complaints brought him, of the abuses that were said to have arisen from the liberty given the people to read the Scriptures. Upon which, Bonner, (no doubt having obtained the King's leave,) set up a new advertisement, in which he complained of these abuses, in the reading the Bible; for which he threatened the people, that he would remove these Bibles out of the church, if they continued as they did to abuse so high a favour. Yet these complaints produced no further severity at this time. But by them the popish party afterwards obtained what they desired. This summer the King turned the monastery of Burton-upon-Trent into a collegiate church for a dean and four prebends; and the monastery of Thornton in Lincolnshire into another for a dean and four prebends. In this year Cranmer took it into consideration, to what excess the tables of the bishops had risen, whereby those revenues, that ought to have been applied to better purposes, were wasted on great entertainment; which, though they passed under the decent name of hospitality, yet were in themselves both too high and expensive, and proved great hinderances to churchmen's charity in more necessary and profitable instances. He therefore set out an order for regulating that expense; by which an archbishop's table was not to exceed six dishes of meat, and four of banquet;* a bishop's, five dishes of meat, and three of banquet; a dean's or archdeacon's

1541. Antiq. Brit. in Reg. Polo. A rule about churchmen's housekeeping.

* Bellaria.

table was not to exceed four dishes, and two of banquet; and other clergymen might be served only with two dishes. But he that gives us the account of this, laments that this regulation took no effect; and complains, that the people, expecting generally such splendid housekeeping from the dignified clergy, and not considering how short their revenues are of what they were anciently; they, out of a weak compliance with the multitude, have disabled themselves from keeping hospitality, as our Saviour ordered it, not for the rich, but the poor; not to mention the other ill effects that follow too sumptuous a table.

The King goes to York.

In the end of this year, the tragical fall of the Queen put a stop to all other proceedings. The King had invited his nephew, the King of Scotland, to meet him at York, who was resolved to come thither. The King intended to gain upon him all he could, and to engage him to follow the copy he had set him, in extirpating the Pope's supremacy, and suppressing abbeys, and to establish a firm agreement in all other things. The clergy of Scotland feared the ill effects of that interview, especially their King being a prince of most extraordinary parts, who, had he not blemished his government with being so extremely addicted to his pleasures, was the greatest prince that nation had for several ages. He was a great patron of learning and executor of justice: he used in person and incognito to go over his kingdom, and see how justice was every where done. He had no very good opinion of the religious orders, and had encouraged Buchanan to write a severe and witty libel against the Franciscan friars. So that they were very apprehensive that he might have been wrought on by his uncle; therefore, they used all their endeavours to divert his journey. But the French King, that had him fast engaged to his interests, falling then off from the King, wrought more on him. So, instead of meeting the King at York, where magnificent preparations were made for his reception, he sent his excuse; which provoked his uncle, and gave occasion to a breach that followed not long after,

But here I shall crave the reader's leave to give a full representation of the state of religion at this time in Scotland, and of the footing the Reformation had got there. Its neighbourhood to England, and the union of these kingdoms, first in the same religion, and since under the same princes, together with the intercourse that was both in this and the next reign between these nations, seem not only to justify this digression, but rather to challenge it as a part of the history, without which it should be defective. And it may be the rather expected from one, who had his birth and education in that kingdom. An account of the state of Scotland.

The correspondence between that crown and France was the cause that what learning they had came from Paris, where our kings generally kept some scholars, and from that great nursery they were brought over, and set in the universities of Scotland to propagate learning there. From the year 1412, in which Wardlaw, archbishop of St. Andrew's, first founded that university, learning had made such a progress, that more colleges were soon after founded in that city. Universities were also founded both at Glasgow and Aberdeen, which have since furnished that nation with many eminent scholars in all professions. The beginnings of learning there.

But at the time that learning came into Scotland, the knowledge of true religion also followed it: and, in that same Archbishop's time, one John Resby, an Englishman, a follower of Wickliffe's opinions, was charged with heresy. Forty articles were objected to him, of which two are only mentioned. The one was, that "the Pope is not Christ's vicar:" the other was, that "he was not to be esteemed a pope, if he was a man of wicked life." For maintaining these, he was burnt anno 1407. Twenty-four years after that, one Paul Craw came out of Germany, and, being a Bohemian and an Hussite, was infusing his doctrine into some at St. Andrew's; which being discovered, he was judged an obstinate heretic, and burnt there, anno 1432. And, to encourage people to prosecute such persons, Fogo, who had discovered him, was rewarded with the abbey of Melross soon after. And of the Reformation. Archbishop Spotswood. Lesley.

It does not appear that those doctrines, which were called Lollardies in England, had gained many followers in Scotland, till near the end of that century. But then it was found that they were much spread over the western parts; which being in the neighbourhood of England, those who were persecuted there might perhaps fly into Scotland, and spread their doctrine in that kingdom. Several persons of quality were then charged with these articles, and brought to the Archbishop of Glasgow's courts. But they answered him with such confidence, that he thought fit to discharge them, with an admonition to take heed of new doctrines, and to content themselves with the faith of the church.

Spotswood.

The clergy were b th ign rant and cruel

At this time the clergy in Scotland were both very ignorant and dissolute in their manners. The secular clergy minded nothing but their tithes, and did either hire some friars to preach, or some poor priests to sing masses to them at their churches. The abbots had possessed themselves of the best seats, and the greatest wealth of the nation; and, by a profuse superstition, almost the one half of the kingdom fell into the hands of the churchmen. The bishops looked more after the affairs of the state, than the concerns of the church; and were resolved to maintain by their cruelty, what their predecessors had acquired by fraud and impostures. And, as Lesley himself confesses, there was no pains taken to instruct the people in the principles of religion; nor were the children at all catechised, but left in ignorance; and the ill lives of the clergy, who were both covetous and lewd, disposed the people to favour those that preached for a reformation.

Patrick Hamilton's sufferings.

The first that suffered in this age was Patrick Hamilton, a person of very noble blood: his father was brother to the Earl of Arran, and his mother sister to the Duke of Albany: so nearly was he on both sides related to the King. He was provided of the Abbey of Fern in his youth; and being designed for greater preferments, he was sent to travel: but, as he went through Germany, he contracted a friendship with Luther, Melancthon, and others of their

persuasion, by whose means he was instructed in the points about which they differed from the church of Rome. He returned to Scotland, that he might communicate that knowledge to others, with which himself was so happily enlightened. And, little considering either the hinderance of his further preferment, or the other dangers that might lie in his way, he spared not to lay open the corruptions of the Roman church, and to shew the errors that had crept into the Christian religion. He was a man both of great learning, and of a sweet and charming conversation, and came to be followed and esteemed by all sorts of people.

The clergy being enraged at this, invited him to St. Andrew's, that there might be conferences held with him about those points which he condemned. And one Friar Campbel, prior of the Dominicans, who had the reputation of a learned man, was appointed to treat with him. They had many conferences together, and the Prior seemed to be convinced in most points; and acknowledged there were many things in the church that required reformation. But all this while he was betraying him; so that, when the Abbot looked for no such thing, he was in the night-time made prisoner, and carried to the Archbishop's castle. There several articles were objected to him, about original sin, free-will, justification, good works, priestly absolution, auricular confession, purgatory, and the Pope's being antichrist. Some of these he positively adhered to, the others he thought were disputable points; yet, he said, he would not condemn them, except he saw better reasons than any he had yet heard. The matter was referred to twelve divines of the university, of whom Friar Campbel was one: and, within a day or two they censured all his tenets as heretical, and contrary to the faith of the church. On the 1st of March judgment was given upon him by Beaton, archbishop of St. Andrew's, with whom sat the Archbishop of Glasgow, the Bishop of Dunkeld, Brichen, and Dunblain, five abbots, and many of the inferior clergy. They also made the whole university, old and young, sign it.

He was declared an obstinate heretic, and delivered to the secular power.

The King had at that time gone a pilgrimage to Ross; and the clergy, fearing lest nearness of blood, with the intercessions which might be made for him, should snatch this prey out of their hands, proceeded that same day to his execution: so in the afternoon he was brought to the stake before St. Salvator's college. He stripped himself of his garments, and gave them to his man; and said, "he had no more to leave him, but the example of his death: that he prayed him to keep in mind. For though it was bitter and painful in man's judgment, yet it was the entrance to everlasting life, which none could inherit that denied Christ before such a congregation." Then was he tied to a stake, and a great deal of fuel was heaped about him, which he seemed not to fear; but continued lifting up his eyes to heaven, and recommending his soul to God. When the train of powder was kindled, it did not take hold of the fuel, but only scorched his hand and the side of his face. This occasioned some delay, till more powder was brought from the castle; during which time the friars were very troublesome, and called to him to turn, and pray to our Lady, and say, *Salve Regina*. None was more officious than Friar Campbel. The Abbot wished him often to let him alone, and give him no more trouble; but the Friar continuing to importune him, he said to him, "Wicked man, thou knowest that I am not a heretic, and that it is the truth of God for which I now suffer. So much thou didst confess to me in private; and thereupon I appeal thee to answer before the judgment-seat of Christ." By this time more powder was brought, and the fire was kindled. He cried out with a loud voice, "How long, O Lord, shall darkness oppress this realm? how long wilt thou suffer this tyranny of men?" and died repeating these words, "Lord Jesus, receive my spirit." The patience and constancy he expressed in his sufferings made the spectators generally conclude that he was a true martyr of Christ; in which they were the more confirmed, by Friar Campbel's falling into great de-

spair soon after, who from that turned frantic, and died within a year.

On this I have insisted the more fully, because it was indeed the beginning of the Reformation in Scotland; and raised there a humour of inquiring into points of religion, which did always prove fatal to the church of Rome. In the university itself many were wrought on, and particularly one Seaton, a Dominican friar, who was the King's confessor. He being appointed to preach the next Lent at St. Andrew's, insisted much on these points; "That the law of God was the only rule of righteousness; that sin was only committed when God's law was violated; that no man could satisfy for sin; and that pardon was to be obtained by unfeigned repentance and true faith." But he never mentioned purgatory, pilgrimages, merits, nor prayers to saints, which used to be the subjects on which the friars insisted most on these occasions. Being gone from St. Andrew's, he heard that another friar of his own order had refuted these doctrines: so he returned, and confirmed them in another sermon; in which he also made some reflections on bishops that were not teachers, calling them dumb dogs. For this he was carried before the Archbishop, but he defended himself, saying, that he had only, in St. Paul's words, said "a bishop should teach;" and, in Esaias's words, that such as did not teach were dumb dogs; but having said this in the general, he did not apply it to any bishop in particular. The Archbishop was nettled at this answer, yet resolved to let him alone till he should be brought into disgrace with the King. And that was soon done; for the King being a licentious prince, and Friar Seaton having often reproved him boldly for it, he grew weary of him. The clergy perceiving this, were resolved to fall upon him. So he withdrew to Berwick; but wrote to the King, that if he would hear him make his defence, he would return and justify all that he had taught. He taxed the cruelty of the clergy, and desired the King would restrain their tyranny, and consider that he was obliged to protect his subjects from their severity and

The King's confessor favours the Reformation.

malice; but receiving no satisfactory answer, he lived in England, where he was entertained by the Duke of Suffolk, as his chaplain. Not long after this one Forrest, a simple Benedictine monk, was accused for having said that Patrick Hamilton had died a martyr; yet since there was no sufficient proof to convict him, a friar, one Walter Lainge, was sent to confess him; to whom, in confession, he acknowledged he thought Hamilton was a good man, and that the articles for which he was condemned might be defended. This being revealed by the friar, was taken for good evidence: so the poor man was condemned to be burnt as a heretic. As he was led out to his execution, he said, "Fie on falsehood; fie on friars, revealers of confession; let never man trust them after me; they are despisers of God, and deceivers of men." When they were considering in what place to burn him, a simple man that attended the Archbishop advised to burn him in some low cellar; for, said he, "the smoke of Mr. Patrick Hamilton has infected all those on whom it blew."

Forrest's sufferings.

Soon after this, Abbot Hamilton's brother and sister were brought into the bishops' courts; but the King, who favoured this brother, persuaded him to absent himself. His sister, and six others, being brought before the Bishop of Ross, who was deputed by the Archbishop to proceed against them, the King himself dealt with the woman to abjure, which she and the other six did. Two others were more resolute: the one was Normand Gowrlay, who was charged with denying the Pope's authority in Scotland, and saying there was no purgatory; the other was David Straiton. He was charged with the same opinions. They also alleged, that he had denied that tithes were due to churchmen; and that when the vicar came to take the tithe out of some fish-boats that belonged to him, he alleged the tithe was to be taken where the stock grew: and therefore ordered the tenth fish to be cast into the sea, and bade the vicar to seek them there. They were both judged obstinate heretics, and burnt at one stake, the 27th of August, 1534. Upon this persecution, some others, who were cited to appear,

A further persecution in Scotland.

fled into England. Those were, Alexander Alesse, John Fife, John Mackbee, and one Mackdowgall. The first of these was received by Cromwell into his family, and grew into great favour with King Henry, and was commonly called his scholar, of whom see what was said, page 346. But, after Cromwell's death, he took Fife with him, and they went into Saxony, and were both professors in Leipsic. Mackbee was at first entertained by Shaxton, bishop of Salisbury; but he went afterwards into Denmark, where he was known by the name of Doctor Maccabeus, and was chaplain to King Christian II.

The progress of the Reformation

But all these violent proceedings were not effectual enough to quench that light which was then shining there. Many, by searching the Scriptures, came to the knowledge of the truth; and the noise of what was then doing in England awakened others to make further inquiries into matters of religion. Pope Clement VII. apprehending that King Henry might prevail on his nephew to follow his example, wrote letters full of earnest exhortations to him to continue in the catholic faith. Upon which King James called a parliament; and there, in the presence of the Pope's nuncio, declared his zeal for that faith and the apostolic see. The parliament also concurred with him in it; and made acts against heretics, and for maintaining the Pope's authority. That same Pope did afterwards send to desire him to assist him in making war against the King of England; for he was resolved to divide that kingdom among those who would assist him in driving out King Henry. But the firm peace at that time between the King of England and the French King kept him quiet from any trouble, which otherwise the King of Scotland might have given him. Yet King Henry sent the Bishop of St. David's, with the Duke of Norfolk's brother, Lord William Howard, to him so unexpectedly, that they came to him at Stirling before he had heard of their being sent. The Bishop brought with him some of the books that had been wrote for the justifying King Henry's proceeding; and desired that the King would impartially exa-

Lesley.

Bu

mine them. But he put them into the hands of some about him that were addicted to the interests of Rome, who, without ever reading them, told him they were full of pestilent doctrine and heresy.

The secret business they came for was, to persuade that King to concur with his uncle, and to agree to an interview between them; and they offered him, in their master's name, the Lady Mary in marriage, and that he should be made Duke of York, and lord lieutenant of all England: but the clergy diverted him from it, and persuaded him rather to go on in his design of a match with France. And their counsels did so prevail, that he resolved to go in person, and fetch a Queen from thence. On the 1st of January, 1537, he was married to Magdalen, daughter to Francis I.; but she being then gone far in a consumption, died soon after he had brought her home, on the 28th of May. She was much lamented by all persons, the clergy only excepted; for she had been bred in the Queen of Navarre's court, and so they apprehended she might incline the King to a reformation. But he had seen another lady in France, Mary of Guise, whom he then liked so well, that after his Queen's death, he sent Cardinal Beaton into France to treat for a match with her. This gave the clergy as much joy as the former marriage had raised fear; for no family in Christendom was more devoted to the interests of the papacy than that was. And now the King, though he had freer thoughts himself, yet was so engaged to the pretended old religion, that he became a violent persecutor of all who differed from it.

Regni Anglici Vicarius.

The King wholly guided by the clergy

The King grew very expensive; he indulged himself much in his pleasures; he built four noble palaces, which, considering that kingdom and that age, were very extraordinary buildings; he had also many natural children, all which things concurred to make him very desirous of money. There were two different parties in the court. The nobility, on the one hand, represented to him the great wealth that the abbots had gathered; and that if he would do as his uncle had done, he would thereby raise his revenue

to the triple of what it was, and provide plentifully for his children. The clergy, on the other hand, assured him, that if he would set up a strict inquisition of heretics, he would discover so many men of estates that were guilty, that by their forfeitures he might raise above a hundred thousand crowns a-year: and for his children, the easiest way of providing for them was to give them good abbeys and priories. This, they thought, would engage both the King and his sons to maintain their rights more steadily, if their own interests were interwoven with them. They also persuaded the King, that, if he maintained the established religion, it would give him a good interest in England, and make him be set up by foreign princes as the head of the league, which the Pope and the Emperor were then projecting against King Henry. These counsels being seconded by his Queen, who was a wise and good lady, but wonderfully zealous for the papacy, did so prevail with him, that, as he made four of his children abbots or priors, so he gave way to the persecuting humour of his priests, and gave Sir James Hamilton (a natural brother of the Earl of Arran's), in whom the clergy put much confidence, a commission to proceed against all that were suspected of heresy. In the year 1539, many were cited to appear before a meeting of the bishops at Edinburgh. Of those, nine abjured, many were banished, and five were burnt. Forrester, a gentleman; Simpson, a secular priest, Killore and Beverage, two friars; and Forrest, a canon regular; were burnt on the castle-hill of Edinburgh. The last of these was a zealous constant preacher, which was a rare thing in those days. His diocesan, the Bishop of Dunkeld, sent for him, and rebuked him for it; and bid him, "when he found a good epistle, or good gospel, that made for the liberties of the holy church, to preach on that, and let the rest alone." The good man answered, "he had read both the Old Testament and the New, and never found an ill epistle or ill gospel in any of them." The Bishop replied, that "he thanked God he had lived well these many

years, and never knew either the Old or New: he contented himself with his portuise and his pontifical; and if the other would trouble himself with these fantasies, he would repent it when he could not help it." Forrest said, "he was resolved to do what he conceived was his duty, whatever might be the danger of it." By this it appears, how deliberately the clergy at that time delivered themselves up to ignorance and superstition.

Two other martyrs.

In the same year, Russel, a Franciscan friar, and one Kennedy, a young man, of eighteen years of age, were brought before the Archbishop of Glasgow. That Bishop was a learned and moderate man, and was much against these cruel proceedings; he was also in great credit with the King, having been his tutor: yet he was forced, by the threatenings of his brethren, to go on with the persecution. So those two, Russel and Kennedy, being brought before him, Kennedy, that was young and fearful, had resolved to submit and abjure; but being brought to the bar, and encouraged by Russel's discourses, he felt so high a measure of courage and joy in his heart, that he fell down on his knees, and broke forth in these words: "Wonderful, O God, is thy love and mercy towards me, a miserable wretch! for now, when I would have denied thee, and thy Son my Saviour, thou hast by thine own hand pulled me back from the bottom of hell, and given me most heavenly comfort, which hath removed the ungodly fear that before oppressed my mind. Now I defy death; do what you please; I thank God I am ready." There followed a long dispute between the friar and the divines that sat with the Archbishop, but when he perceived they would hear nothing, and answered him only with revilings and jeers, he gave it over, and concluded in these words. "This is your hour and power of darkness. now you sit as judges, and we stand wrongfully condemned; but the day cometh which will shew our innocence, and you shall see your own blindness to your everlasting confusion: go on, and fulfil the measure of your iniquity.'

This put the Archbishop in great confusion, so that he said to those about him, that these rigorous executions did hurt the cause of the church more than could be well thought of; and he declared that his opinion was, that their lives should be spared, and some other course taken with them. But those that sat with him said, if he took a course different from what the other prelates had taken, he was not the church's friend. This, with other threatening expressions, prevailed so far on his fears, that he gave judgment. So they were burnt; but at their death they expressed so much constancy and joy, that the people were much wrought on by their behaviour. Russel encouraged Kennedy, his partner in sufferings, in these words: "Fear not, brother, for he is more mighty that is in us, than he that is in the world, the pain which we shall suffer is short and light, but our joy and consolation shall never have an end. Death cannot destroy us; for it is destroyed already by him, for whose sake we suffer; therefore let us strive to enter in by the same strait way, which our Saviour hath taken before us." With the blood of such martyrs was the field of that church sown, which did quickly rise up in a plentiful harvest.

Among those that were at this time in hazard, George Buchanan was one. The clergy were resolved to be revenged on him for the sharpness of the poems he had written against them. And the King had so absolutely left all men to their mercy, that he had died with the rest, if he had not made his escape out of prison then he went beyond sea, and lived twenty years in that exile, and was forced to teach a school most part of the time; yet the greatness of his mind was not oppressed with that mean employment. In his writings there appears, not only all the beauty and graces of the Latin tongue, but a vigour of mind and quickness of thought far beyond Bembo, or the other Italians, who at that time affected to revive the purity of the Roman style. It was but a feeble imitation of Tully in them; but his style is so natural and nervous, and his reflections on

things are so solid (besides his immortal poems, in which he shews how well he could imitate all the Roman poets in their several ways of writing, that he who compares them will be often tempted to prefer the copy to the original), that he is justly reckoned the greatest and best of our modern authors. This was the state of affairs at this time in Scotland. And so I shall leave this digression; on which, if I have stayed too long, my kindness to my native country must be my excuse: and now I return to the affairs of England.

The King went his progress with his fair and beloved Queen; and when he came to York he issued out a proclamation, "that all who had been aggrieved for want of justice, by any whom he had formerly employed, should come to him and his council for redress." This was done to cast all past miscarriages on Cromwell, and to put the people in hopes of better times. But, upon his return to London, he met with a new affliction. He was so much taken with his Queen, that on All-Saints' day, when he received the sacrament, he openly gave God thanks for the good life he led, and trusted still to lead with her; and desired his ghostly father to join with him in the same thanksgiving to God. But this joy lasted not long; for the next day the Archbishop of Canterbury came to him, and gave him a doleful account of the Queen's ill life, as it had been brought him by one John Lassels: who, when the King was in his progress, had told him, that his sister, who had been an old servant of the Duke of Norfolk's, under whose care the Queen was brought up, said to him, that the Queen was lewd, and that one Francis Derham had enjoyed her often, as also one Mannock; with other foul circumstances not fit to be related. The Archbishop communicated it to the Lord Chancellor, and the other privy-counsellors that were at London. They agreed that the Archbishop should open it to the King; but he, not knowing how to do it, in discourse, set it down in writing, and put it in the King's hands. When the King read it, he seemed much perplexed;

The Queen's ill life is discovered.

but loved the Queen so tenderly, that he looked on it as a forgery. And now the Archbishop was in extreme danger; for if full evidence had not been brought, it had been certainly turned on him to his ruin. The King imparted it to some other counsellors, and told them that he could not believe it; yet he would try it out, but with all possible secrecy. So the Lord Privy-Seal was sent to London to examine Lassels, who stood to what he had informed. Then he sent that same lord into Sussex, where Lassels' sister lived, to try if she would justify what her brother had reported in her name, and she owning it, he ordered Derham and Mannock to be arrested upon some other pretences; but they being examined, not only confessed what was informed, but revealed some other circumstances, that shewed the Queen had laid aside all sense of modesty, as well as the fear of a discovery; three several women having been witnesses to these her lewd practices. The report of that struck the King into a most profound pensiveness, and he burst out into tears, and lamented his misfortune. The Archbishop of Canterbury and some other counsellors were sent to examine the Queen. She at first denied every thing; but when she perceived it was already known, she confessed all, and set it under her hand. There were also evident presumptions that she had intended to continue that course of life: for as she has got Derham into her service, so she had brought one of the women, who had been formerly privy to their familiarities, to serve about her bedchamber. One Culpepper was also charged upon vehement suspicion; for, when the King was at Lincoln, by the Lady Rochford's means, he was brought into the Queen's chamber at eleven o'clock in the night, and stayed there till four the next morning. The Queen also gave him a gold chain and a rich cap. He, being examined, confessed the crime; for which both Derham and he suffered. Others were also indicted of misprision of treason, and condemned to perpetual imprisonment. But this occasioned a new parliament to be summoned.

And confessed by herself and others

1542 A new parliament called

On the 16th of January the parliament met; to which the Bishops of Westminster, Chester, Peterborough, and Gloucester, had their writs. The Lord Cromwell also had his writ, though I do not find by any record that he was restored in blood.* On the 28th of January the Lord Chancellor moved the House of Lords, to consider the case the King was in by the Queen's ill carriage; and, that there might be no ground of suspicion or complaint, he proposed that some of their number should be sent to examine the Queen; whereupon the Archbishop of Canterbury, the Duke of Suffolk, the Earl of Southampton, and the Bishop of Westminster, were sent to her. How much she confessed to them is not very clear, neither by the journal, nor the act of parliament, which only says that she confessed, without mentioning the particulars. Upon this, the processes of those that had been formerly attainted being also brought as an evidence, the act passed in both houses. In it they petitioned the King,

The act about the Queen

"First, Not to be troubled at the matter, since that might be a mean to shorten his life.

"Secondly, To pardon every thing that had been spoken against the Queen.

"Thirdly, That the Queen and her complices might be attainted of high-treason, for her taking Deirham into her service; and another woman into her chamber, who had known their former ill life; by which it appeared what she intended to do: and then admitting Culpepper to be so long with her in a vile place, so many hours in the night. Therefore, it is desired, that she and they, with the bawd, the Lady Rochford, may be attainted of treason; and that the Queen and the Lady Rochford should suffer the pains of death.

"Fourthly, That the King would not trouble himself to give his assent to this act in his own person,

* He had his writ, not by virtue of any restoration in blood, but of his creation by patent: neither, the day his father was created earl, as Mr. Fulman hath it, following Dr. Fuller, but five months after his father's death, viz the 18th of December, in the 32d of Henry VIII. when he was created baron of this realm, by the title only of Lord Cromwell, but not distinguished by any place. *Vide Sir W. Dugdale's History of the Baronage.*

but grant it by his letters-patents under his hand and and great seal.

"Fifthly, That the Duchess Dowager of Norfolk, Countess of Bridgewater, the Lord William Howard and his Lady, and four other men, and five women, who were already attainted by the course of common law, (except the Duchess of Norfolk, and the Countess of Bridgewater,) that knew the Queen's vicious life, and had concealed it, should be all attainted of misprision of treason."

It was also enacted, "That whosoever knew any thing of the incontinence of the Queen, (for the time being,) should reveal it with all possible speed, under the pains of treason. And that, if the King or his successors should intend to marry any woman, whom they took to be a pure and clean maid, if she, not being so, did not declare the same to the King, it should be high treason: and all who knew it, and did not reveal it, were guilty of misprision of treason. And if the Queen, or the Prince's wife, should procure any, by messages or words, to know her carnally; or any other, by messages or words, should solicit them; they, their counsellors and abettors, are to be adjudged high traitors."

This act being assented to by the King's letters-patents, the Queen and the Lady Rochford were beheaded on Tower-Hill, the 12th of February. The Queen confessed the miscarriages of her former life, before the King married her: but stood absolutely to her denial, as to any thing after that; and protested to Dr. White, afterwards Bishop of Winchester, that she took God and his angels to be her witnesses, upon the salvation of her soul, that she was guiltless of that act of defiling her Sovereign's bed, for which she was condemned. Yet the lasciviousness of her former life, made people incline to believe any ill thing that could be reported of her. But for the Lady Rochford, every body observed God's justice on her; who had the chief hand, both in Queen Anne Boleyn's, and her own husband's death: and it now appearing so evidently what sort of woman she was, it tended much to raise their reputations again, in

Censures passed upon it

whose fall her spite and other artifices had so great a hand. She had been a lady of the bedchamber to the last four queens: but now it was found how unworthy she was of that trust.

It was thought extreme cruelty to be so severe to the Queen's kindred, for not discovering her former ill life: since the making such a discovery had been inconsistent with the rules of justice or decency. The old Duchess of Norfolk, being her grandmother, had bred her of a child: and it was said, for her to have gone and told the King that she was a whore, when he intended to marry her, as it was an unheard-of thing, so the not doing of it could not have drawn so severe a punishment from any but a prince of that King's temper. But the King pardoned her, and most of the rest; though some continued in prison after the rest were discharged.

But for the other part of this act, obliging a woman to reveal her own former incontinence, if the King intended to marry her, (which by a mistake the Lord Herbert says was passed in another act, taking it from Hall, and not looking into the record,) it was thought a piece of grievous tyranny; since if a King, especially one of so imperious a temper as this was, should design such an honour to any of his subjects, who had failed in their former life, they must either defame themselves, by publishing so disgraceful a secret, or run the hazard of being afterwards attainted of treason. Upon this, those that took an indiscreet liberty to rally that sex unjustly and severely, said, the King could induce none that was reputed a maid to marry him: so that not so much choice, as necessity, put him on marrying a widow about two years after this. But this part of the act was afterwards repealed in the first parliament of King Edward the Sixth.

Act about hospitals, &c

There passed another act in this parliament, that made way for the dissolution of colleges, hospitals, and other foundations of that nature. The courtiers had been practising with the presidents and governors of some of these, to make resignations of them to the King; which were conceived in the same style that

most of the surrenders of monasteries did run in. Eight of these were all really procured, which are enrolled: but they could not make any great progress, because it was provided by the local statutes of most of them, that no president, or any other fellows, could make any such deed, without the consent of all the fellows in the house; and this could not be so easily obtained. Therefore all such statutes were annulled, and none were any more to be sworn to the observation of them.

The papists design to suppress the English Bible

In the convocation that sat at that time, which, as was formerly observed, Fuller mistakes for the convocation in the thirty-first year of this King; the translation of the Bible was brought under examination, and many of the bishops were appointed to peruse it: for it seems complaints were brought against it. It was certainly the greatest eye-sore of the popish party; and that which they knew would most effectually beat down all their projects. But there was no opposing it directly, for the King was fully resolved to go through with it. Therefore the way they took was, once to load the translation then set out with as many faults as they could; and so to get it first condemned, and then to promise a new one. In the making and publishing of which it would be easy to breed many delays. But Gardiner had another singular conceit: he fancied there were many words in the New Testament of such majesty, that they were not to be translated; but must stand in the English Bible as they were in the Latin. A hundred of these he put into writing, which was read in convocation. His design in this was visible. that if a translation must be made, it should be so daubed all through with Latin words, that the people should not understand it much the better for its being in English. A taste of this the reader may have by the first twenty of them: *ecclesia, pœnitentia, pontifex, ancilla, contritus, olocaustâ, justitia, justificatio, idiota, elementa, baptizare, martyr, adorare, sandalium, simplex, tetrarcha, sacramentum, simulacrum, gloria.* The design he had of keeping some of these, particularly the

last save one, is plain enough; that the people might not discover that visible opposition, which was between the Scriptures and the Roman church, in the matter of images. This could not be better palliated, than by disguising these places with words that the people understood not. How this was received, Fuller has not told us. But it seems Cranmer found, that the bishops were resolved either to condemn the translation of the Bible, or to proceed so slowly in it, that it should come to nothing: therefore he moved the King to refer the perusing of it to the two universities. The bishops took this very ill, when Cranmer intimated it to them in the King's name; and objected, that the learning of the universities was much decayed of late, and that the two houses of convocation were the more proper judges of that, where the learning of the land was chiefly gathered together. But the Archbishop said he would stick close to the King's pleasure, and that the universities should examine it. Upon which, all the bishops of his province, except Ely and St. David's, protested against it; and soon after the convocation was dissolved.

Bonner's injunctions

Not long after this, I find Bonner made some injunctions for his clergy; which have a strain in them, so far different from the rest of his life, that it is more probable they were drawn by another pen, and imposed on Bonner by an order from the King. They were set out in the thirty-fourth year of the King's reign; but the time of the year is not expressed. The reader will find them in the Collection at their full length. The substance of them is:

Collect. Numb 26

"First, That all should observe the King's injunctions.

"Secondly, That every clergyman should read and study a chapter of the Bible every day, with the exposition of the gloss, or some approved doctor; which having once studied, they should retain it in their memories, and be ready to give an account of it to him, or any whom he should appoint.

"Thirdly, That they should study the book set forth by the bishops, of the Institution of a Christian Man.

"Fourthly, That such as did not reside in their benefices should bring their curates to him, or his officers, to be tried.

"Fifthly, That they should often exhort their parishioners to make no private contracts of marriage.

"Sixthly, That they should marry none who were married before, till they were sufficiently assured that the former husband or wife were dead.

"Seventhly, That they should instruct the children of their several parishes; and teach them to read English, that they might know how to believe, and pray, and live, according to the will of God.

"Eighthly, That they should reconcile all that were in enmity, and in that be a good example to others.

"Ninthly, That none should receive the communion who did not confess to their own curates.

"Tenthly, That none should be suffered to go to taverns, or alehouses, and use unlawful games on Sundays, or holy-days, in time of Divine service.

"Eleventhly, That twice every quarter they should declare the seven deadly sins, and the Ten Commandments.

"Twelfthly, That no priest should go but in his habit.

"Thirteenthly, That no priest should be admitted to say mass, without shewing his letters of orders to the bishop or his officers.

"Fourteenthly, That they should instruct the people to beware of blasphemy, or swearing by any part of Christ's body; and to abstain from scolding and slandering, adultery, fornication, gluttony, or drunkenness; and that they should present at the next visitation those who were guilty of these sins.

"Fifteenthly, That no priest should use unlawful games, or go to alehouses or taverns, but upon an urgent necessity.

"Sixteenthly, No plays or interludes to be acted in the churches.

"Seventeenthly, That there should be no sermons preached, that had been made within these two hundred or three hundred years. But when they preached, they should explain the whole gospel and epistle for

the day, according to the mind of some good doctor allowed by the church of England; and chiefly to insist on those places that might stir up the people to good works and to prayer; and to explain the use of the ceremonies of the church. That there should be no railing in sermons, but the preacher should calmly and discreetly set forth the excellencies of virtue, and the vileness of sin; and should also explain the prayers for that day, that so the people might pray with one heart; and should teach them the use of the sacraments, particularly of the mass; but should avoid the reciting of fables, or stories, for which no good writer could be vouched; and that when the sermon was ended, the preacher should in a few words resume the substance of it.

"Eighteenthly, That none be suffered to preach under the degree of a bishop, who had not obtained a license, either from the King, or him their ordinary."

The manner of preaching at that time

These injunctions, especially when they are considered at their full length, will give great light into the temper of men at that time; and particularly inform us of the design and method of preaching, as it was then set forward. Concerning which the reader will not be ill pleased to receive some information. In the time of popery there had been few sermons but in Lent: for their discourses on the holy-days, were rather panegyrics on the saints, or the vain magnifying of some of their relics, which were laid up in such or such places. In Lent there was a more solemn and serious way of preaching; and the friars, who chiefly maintained their credit by their performances at that time, used all the force of their skill and industry to raise the people into heats, by passionate and affecting discourses. Yet these generally tended to raise the value of some of the laws of the church, such as abstinence at that time, confession, with other corporal severities; or some of the little devices, that both inflamed a blind devotion, and drew money; such as indulgences, pilgrimages, or the enriching the shrines and relics of the saints. But there was not that pains taken to inform the people of the hate-

fulness of vice, and the excellency of holiness, or of the wonderful love of Christ, by which men might be engaged to acknowledge and obey him. And the design of their sermons was rather to raise a present heat, which they knew afterwards how to manage, than to work a real reformation on their hearers. They had also intermixed with all Divine truths so many fables, that they were become very extravagant; and that alloy had so embased the whole, that there was great need of a good discerning, to deliver people from those prejudices, which these mixtures brought upon the whole Christian doctrine. Therefore the reformers studied, with all possible care, to instruct the people in the fundamentals of Christianity, with which they had been so little acquainted. From hence it came, that the people ran after those new preachers with wonderful zeal. It is true, there seems to be very foul and indiscreet reflections on the other party, in some of their sermons: but if any have applied themselves much to observe what sort of men the friars and the rest of the popish clergy were at that time, they shall find great excuses for those heats. And as our Saviour laid open the hypocrisies and impostures of the scribes and pharisees, in a style which such corruptions extorted, so there was great cause given to treat them very roughly. though it is not to be denied, but those preachers had some mixtures of their own resentments, for the cruelties and ill usage which they received from them. But now that the Reformation made a greater progress, much pains was taken to send eminent preachers over the nation; not confining them to particular charges, but sending them with the King's license up and down to many places. Many of these licenses are enrolled, and it is likely that many were granted that were not so carefully preserved. But provision was also made for people's daily instruction: and because, in that ignorant time, there could not be found a sufficient number of good preachers, and, in a time of so much juggling, they would not trust the instruction of the people to every one; therefore none

was to preach except he had gotten a particular license for it from the King, or his diocesan. But to qualify this, a book of Homilies was printed; in which the gospels and epistles of all the Sundays and holy-days of the year were set down, with a homily to every one of these, which is a plain and practical paraphrase on those parcels of Scripture. To these are added many serious exhortations, and some short explanations of the most obvious difficulties, that shew the compiler of them was a man both of good judgment and learning. To these were also added, sermons on several occasions; as, for weddings, christenings, and funerals; and these were to be read to the people by such as were not licensed to preach. But those who were licensed to preach, being often accused for their sermons, and complaints being made to the King by hot men on both sides, they came generally to write and read their sermons. From thence the reading of sermons grew into a practice in this church: in which, if there was not that heat and fire which the friars had shewed in their declamations, so that the passions of the hearers were not so much wrought on by it; yet it has produced the greatest treasure of weighty, grave, and solid sermons, that ever the church of God had, which does in a great measure compensate that seeming flatness to vulgar ears that is in the delivery of them.

Plays and interludes then acted.

The injunctions take notice of another thing, which the sincerity of an historian obliges me to give an account of, though it was indeed the greatest blemish of that time: these were the stage-plays and interludes that were then generally acted, and often in churches. They were representations of the corruptions of the monks, and some other feats of the popish clergy. The poems were ill contrived, and worse expressed; if there lies not some hidden wit in these ballads (for verses they were not) which at this distance is lost: but from the representing the immoralities and disorders of the clergy, they proceeded to act the pageantry of their worship. This took with the people much; who, being provoked by the mis-

carriages and cruelties of some of the clergy, were not ill pleased to see them and their religion exposed to public scorn. The clergy complained much of this, and said it was an introduction to atheism and all sort of irreligion: for if once they began to mock sacred things, no stop could be put to that petulant humour. The grave and learned sort of reformers disliked and condemned these courses, as not suitable to the genius of true religion; but the political men of that party made great use of them, encouraging them all they could; for they said, contempt being the most operative and lasting affection of the mind, nothing would more effectually drive out many of those abuses, which yet remained, than to expose them to the contempt and scorn of the people.

War between England and Scotland

In the end of this year a war broke out between England and Scotland, set on by the instigation of the French King, who was also beginning to be an uneasy neighbour to those of the English pale about Calais. The King set out a long declaration, in which he very largely laid out the pretensions the crown of England had to an homage from the Kings of Scotland. In this I am no fit person to interpose; the matter being disputed by the learned men of both nations. The Scots said it was only for some lands their kings had in England that they did homage, as the kings of England did for Normandy and Guienne to the kings of France: but the English writers cited many records, to shew that the homage was done for the crown of Scotland. To this the Scots replied, that in the invasion of Edward the First he had carried away all their ancient records; so these being lost, they could only appeal to the chronicles that lay up and down the nation in their monasteries: that all these affirmed the contrary, and that they were a free kingdom; till Edward the First, taking advantage of their disputes about the succession to their crown, upon the death of Alexander the Third, got some of the competitors to lay down their pretensions at his feet, and to promise homage: that this was also performed by John Balliol, whom he preferred to the

crown of Scotland; but by these means he lost the hearts of the nation; and it was said, that his act of homage could not give away the rights of a free crown and people. And they said, that whatsoever submissions had been made since that time, they were only extorted by force, as the effects of victory and conquest, but gave no good right nor just title. To all this the English writers answered, that these submissions, by their records (which were the solemn instruments of a nation that ought never to be called in question), were sometimes freely made; and not by their kings only, but by the consent of their states. In this uncertainty I must leave it with the reader.

But, after the King had opened this pretension, "he complained of the disorders committed by the Scots; of the unkind returns he had met with from their King for his care of him while he was an infant taking no advantage of the confusions in which that kingdom then was; but, on the contrary, protecting the crown and quieting the kingdom. But that of late many depredations and acts of hostility had been committed by the Scots: and though some treaties had been begun, they were managed with so much shuffling and inconstancy, that the King must now try it by a war." Yet he concluded his declaration ambiguously, neither keeping up nor laying down his pretensions to that crown; but expressing them in such a manner, that which way soever the success of the war turned, he might be bound up to nothing by what he now declared.

Duke of Norfolk's inroad into Scotland.

But whatsoever justice might be in the King's title or quarrel, his sword was much the sharper. He ordered the Duke of Norfolk to march into Scotland, about the end of October, with an army of twenty thousand men. Hall tells us, they burnt many towns, and names them. But these were only single houses, or little villages; and the best town he names is Kelso, which is a little open market-town. Soon after they returned back into England; whether, after they had spoiled the neighbouring country, they felt the inconveniences of the season of the year, or whether, hear-

ing the Scots were gathering, they had no mind to go too far, I cannot determine; for the writers of both nations disagree as to the reason of their speedy return But any that knows the country they spoiled, and where they stopped, must conclude, that either they had secret orders only to make an inroad and destroy some places that lay along the river of Tweed, and upon the border, which done, without driving the breach too far, to retire back; or they must have had apprehensions of the Scottish armies coming to lie in these moors and hills of Sautrey, or Lammer-Moor, which they were to pass if they had gone farther: and there were about ten thousand men brought thither, but he that commanded them was much blamed for doing nothing; his excuse was that his number did not equal theirs. About the end of November, the Lord Maxwell brought an army of fifteen thousand men together, with a train of artillery of twenty-four pieces of ordnance. And since the Duke of Norfolk had retired towards Berwick, they resolved to enter England, on the western side, by Solway Frith. The King went thither himself, but fatally left the army, and yet was not many miles from them when they were defeated. The truth of it was, that King, who had hitherto raised the greatest expectation, was about that time disturbed in his fancy, thinking that he saw apparitions, particularly of one, whom it was said he had unjustly put to death; so that he could not rest, nor be at quiet. But as his leaving the army was ill advised, so his giving a commission to Oliver Sinclair, that was his minion, to command in chief, did extremely disgust the nobility.* They loved not to be commanded by any but their King; and were already weary of the insolence of that favourite, who, being but of ordinary birth, was despised by them, so that they were beginning to separate. And when they were upon that occasion, in great disorder, a small body of English, not above five hundred horse, appeared: but they, apprehending it was the Duke of Norfolk's

The Scottish army defeated.

* Oliver Sinclair was the more obnoxious to the nobility, as being reputed a creature of the Bishops, who at that time had too much power over the King's mind.—N.

army, refused to fight, and fell in confusion. Many prisoners were taken, the chief of whom were, the Earls of Glencairn and Cassillis, the Lords Maxwell, Sommervell, Oliphant, Gray, and Oliver Sinclair; and about two hundred gentlemen and eight hundred soldiers; and all the ordnance and baggage was also taken. The news of this being brought to the King of Scotland increased his former disorders; and some few days after he died, leaving an infant daughter, but newly born, to succeed him.

Many prisoners taken.

The lords that were taken prisoners were brought to London, where, after they had been charged in council how unkindly they had used the King, they were put in the keeping of some of the greatest quality about court. But the Earl of Cassillis had the best luck of them all: for being sent to Lambeth, where he was a prisoner upon his parole, Cranmer studied to free him from the darkness and fetters of popery; in which he was so successful, that the other was afterwards a great promoter of the Reformation in Scotland. The Scots had been hitherto possessed with most extraordinary prejudices against the changes that had been made in England; which concurring with the ancient animosities between the two nations, had raised a wonderful ill opinion of the King's proceedings. And though the Bishop of St. David's (Barlow), had been sent into Scotland with the book of the "Institution of a Christian Man," to clear these ill impressions, yet his endeavours were unsuccessful. The Pope, at the instance of the French King, and to make that kingdom sure, made David Beaton, archbishop of St. Andrew's, a cardinal, which gave him great authority in the kingdom: so he with the rest of the clergy diverted the King from any correspondence with England, and assured him of victory if he would make war on such an heretical prince. The clergy also offered the King fifty thousand crowns a-year towards a war with England; and possessed all the nation with very ill thoughts of the court and clergy there. But the lords that were now prisoners (chiefly the Earl of Cassillis, who was best instructed

by his religious host), conceived a better opinion of the Reformation, and carried home with them those seeds of knowledge which produced afterwards a very fruitful harvest. On all these things I have dwelt the longer, that it might appear whence the inclination of the Scottish nobility to reform did take its first rise; though there was afterwards, in the methods by which it was advanced, too great a mixture of the heat and forwardness that is natural to the genius of that country.

When the news of the King of Scotland's death, and of the young Queen's birth that succeeded him, came to the court, the King thought this a very favourable conjuncture to unite and settle the whole island. But that unfortunate Princess was not born under such happy stars, though she was mother to him in whom this long-desired union took effect. The lords that were then prisoners began the motion; and that being told the King, he called for them to Hampton-Court, in the Christmas-time; and said, now an opportunity was put in their hands to quiet all troubles that had been between these two crowns, by the marriage of the Prince of Wales to their young Queen; in which he desired their assistance, and gave them their liberty, they leaving hostages for the performance of what was then offered by them. They all promised their concurrence, and seemed much taken with the greatness of the English court, which the King always kept up, not without affectation: they also said, they thought God was better served there than in their own country. So on New-Year's-day they took their journey towards Scotland; but the sequel of this will appear afterwards.

A parliament was summoned to meet the 22d of January, which sat till the 12th of May: so the session began in the thirty-fourth, and ended in the thirty-fifth year of the King's reign; from whence it is called in the Records, the parliament of the thirty-fourth and thirty-fifth year. Here both the temporality and spirituality gave great subsidies to the King, of six shillings in the pound, to be paid in three years. They

1543. A new parliament.

set forth in their preambles, "The expense the King had been at in his war with Scotland, and for his other great and urgent occasions;" by which was meant a war with France, which broke out the following summer. But with these there passed other two acts of great importance to religion. The title of the first was, "An act for the advancement of true religion, and abolishment of the contrary." The King was now entering upon a war; so it seemed reasonable to qualify the severity of the late acts about religion, that all might be quiet at home. Cranmer moved it first, and was faintly seconded by the Bishops of Worcester, Hereford, Chichester, and Rochester, who had promised to stick to him in it. At this time a league was almost finished between the King and the Emperor, which did again raise the spirit of the popish faction. They had been much cast down ever since the last Queen's fall. But now that the Emperor was like to have an interest in English councils, they took heart again; and Gardiner opposed the Archbishop's motion with all possible earnestness: and that whole faction fell so upon it, that the timorous bishops not only forsook Cranmer, but Heath, of Rochester, and Skip, of Hereford, were very earnest with him to stay for a better opportunity; but he generously preferred his conscience to those arts of policy which he would never practise, and said he would push it as far as it would go. So he plied the King and the other lords so earnestly, that at length the bill passed, though clogged with many provisos, and very much short of what he had designed.

Cranmer promotes a reformation.

The preamble set forth, "That, there being many dissensions about religion, the Scriptures. which the King had put into the hands of his people, were abused by many seditious persons in their sermons, books, plays, rhymes, and songs; from which great inconveniences were like to arise. For preventing these, it was necessary to establish a form of sincere doctrine, conformable to that which was taught by the apostles. Therefore all the books of the Old and New Testament, of Tindal's translation (which is called

An act about it.

crafty, false, and untrue), are forbidden to be kept or used in the King's dominions; with all other books contrary to the doctrine set forth in the year 1540;* with punishments, and fines, and imprisonment, upon such as sold or kept such books. But Bibles that were not of Tindal's translation were still to be kept, only the annotations or preambles that were in any of them, were to be cut out, or dashed; and the King's proclamations and injunctions, with the Primers and other books printed in English, for the instruction of the people, before the year 1540, were still to be in force; and among these, Chaucer's books are by name mentioned. No books were to be printed about religion, without the King's allowance. In no plays nor interludes they might make any expositions of Scripture; but only reproach vice, and set forth virtue in them. None might read the Scripture in any open assembly, or expound it, but he who was licensed by the King or his ordinary; with a proviso, that the chancellors in parliament, judges, recorders, or any others, who were wont in public occasions to make speeches, and commonly took a place of Scripture for their text, might still do as they had done formerly. Every nobleman or gentleman might cause the Bible to be read to him, in or about his house, quietly and without disturbance. Every merchant that was a householder might also read it; but no woman nor artificers, apprentices, journeymen, serving-men under the degree of yeomen, nor no husbandmen, or labourers, might read it: yet every noble woman, or gentlewoman, might read it for herself; and so might all other persons but those who were excepted. Every person might read and teach in their houses the book set out in the year 1540,* with the Psalter, Primer, Paternoster, the Ave, and the Creed, in English. All

* According to the act itself it should be "*since* the year 1540, *is*, or any time hereafter during the King's Majesty's Life, &c. *shall* be set forth by his Highness" This is connected with the mistake noticed before, p 470 The author still supposing that the Necessary Erudition was actually published in 1540, which was not the case, though the commissioners appointed to draw it up, held a meeting then upon the subject, it appears to have been before the convocation, in the last week of April 1543, and to have been printed on the 29th of May following.

* See before 470

spiritual persons who preached or taught contrary to the doctrine set forth in that book, were to be admitted, for the first conviction, to renounce their errors; for the second to abjure, and carry a faggot; which if they refused to do, or fell into a third offence, they were to be burnt. But the laity for the third offence were only to forfeit their goods and chattels, and be liable to perpetual imprisonment. But these offences were to be objected to them within a year after they were committed. And whereas before, the party accused was not allowed to bring witnesses for his own purgation; this was now granted him. But to this a severe proviso was added, which seemed to overthrow all the former favour; that the act of the six Articles was still in the same force in which it was before the making of this act. Yet that was moderated by the next proviso; that the King might, at any time hereafter, at his pleasure, change this act, or any provision in it."

This last proviso was made stronger by another act, made for the due execution of proclamations, in pursuance of a former act to the same effect, of which mention was made in the thirty-first year of the King's reign. By that former act there was so great a number of officers of state, and of the King's household, of judges, and other persons, to sit on these trials, that those not being easily brought together, the act had never taken any effect. Therefore it was now appointed, that nine counsellors should be a sufficient number for these trials. At the passing of that act the Lord Montjoy protested against it, which is the single instance of a protestation against any public bill through this King's whole reign.

The act about religion freed the subjects from the fears under which they were before. For now the laity were delivered from the hazard of burning; and the spirituality were not in danger, but upon the third conviction: they might also bring their own witnesses, which was a great favour to them. Yet that high power which was given the King, of altering the act, or any parts of it, made, that they were not absolutely

secured from their fears, of which some instances afterwards appeared. But as this act was some mitigation of former severities, so it brought the reformers to depend wholly on the King's mercy for their lives; since he could now chain up, or let loose, the act of the six Articles upon them at his pleasure.

A league between the King and Emperor.

Soon after the end of this parliament, a league was sworn between the King and the Emperor on Trinity Sunday, offensive and defensive for England, Calais, and the places about it, and for all Flanders; with many other particulars, to be found in the treaty set down at large by the Lord Herbert. There is no mention made of the legitimation of the Lady Mary; but it seems it was promised that she should be declared next in the succession of the crown to Prince Edward, if the King had no other children; which was done in the next parliament, without any reflections on her birth: and the Emperor was content to accept of that, there being no other terms to be obtained. The popish party, who had set up their rest on bringing the King and Emperor to a league, and putting the Lady Mary into the succession, no doubt pressed the Emperor much to accept of this; which we may reasonably believe was vigorously driven on by Bonner, who was sent to Spain an ambassador for concluding this peace, by which also the Emperor gained much; for having engaged the crowns of England and France in a war, and drawn off the King of England from his league with the princes of Germany, he was now at more leisure to prosecute his designs in Germany.

A treaty for a match with the Queen of Scotland.

But the negotiation in Scotland succeeded not to the King's mind, though at first there were very good appearances. The Cardinal, by forging a will for the dead King, got himself and some of his party to be put into the government. But the Earl of Arran (Hamilton) being the nearest in blood to the young Queen, and being generally beloved for his probity, was invited to assume the government, which he managed with great moderation, and a universal applause. He summoned a parliament, which confirmed

him in his power, during the minority of the Queen. The King sent Sir Ralph Sadler to him to agree to the marriage, and to desire him to send the young Queen into England: and if private ends wrought much on him, Sadler was empowered to offer another marriage of the King's second daughter, the Lady Elizabeth, to his son. The Earl of Arran was himself inclinable to reformation, and very much hated the Cardinal: so he was easily brought to consent to a treaty for the match, which was concluded in August, by which the young Queen was to be bred in Scotland till she was ten years of age; but the King might send a nobleman and his wife, with other persons, not exceeding twenty, to wait on her: and for performance of this, six noblemen were to be sent from Scotland for hostages. The Earl of Arran being then governor, kept the Cardinal under restraint till this treaty was concluded; but he, corrupting his keepers, made his escape, and joining with the Queen-Mother, they made a strong faction against the Governor: all the clergy joined with the Cardinal to oppose the match with England, since they looked for ruin if it succeeded. The Queen, being a sister of Guise, and bred in the French court, was wholly for their interests; and all that had been obliged by that court, or depended on it, were quickly drawn into the party.

The different interests there

It was also said to every body, that it was much more the interest of Scotland to match with France than with England. If they were united to France, they might expect an easy government: for the French being at such a distance from them, and knowing how easily they might throw themselves into the arms of England, would certainly rule them gently, and avoid giving them great provocations. But if they were united to England, they had no remedy, but must look for a heavier yoke to be laid on them. This, meeting with the rooted antipathy that, by a long continuance of war, was grown up among them to a savage hatred of the English nation, and being inflamed by the considerations of religion, raised a universal dislike of the match with England, in the

greatest part of the whole nation; only a few men of greater probity, who were weary of the depredations and wars in the borders, and had a liking to the Reformation of the church, were still for it.

The French court struck in vigorously with their party in Scotland, and sent over the Earl of Lenox; who, as he was next in blood to the crown after the Earl of Arran, so was of the same family of the Stuarts, which had endeared him to the late King. He was to lead the Queen's party against the Hamiltons; yet they employed another tool, which was John Hamilton, base brother to the Governor, who was afterwards archbishop of St. Andrew's. He had great power over his brother; who, being then not above four-and-twenty years of age, and having been the only lawful son of his father in his old age, was never bred abroad; and so understood not the policies and arts of courts, and was easily abused by his base brother. He assured him, that if he went about to destroy religion, by matching the Queen to an heretical Prince, they would depose him from his government, and declare him illegitimate. There could be indeed nothing clearer than his father's divorce from his first wife: for it had been formerly proved, that she had been married to the Lord Yester's son before he married her, who claimed her as his wife; upon which her marriage with the Earl of Arran was declared null in the year 1507: and it was ten years after, that the Earl of Arran did marry the Governor's mother: of which things the original instruments are yet extant. Yet it was now said, that that precontract with the Lord Yester's son was but a forgery, to dissolve that marriage; and if the Earl of Lenox (who was next to the crown, in case the Earl of Arran was illegitimated) should, by the assistance of France, procure a review of that process from Rome, and obtain a revocation of that sentence by which his father's first marriage was annulled, then it was plain that the second marriage, with the issue by it, would be of no force. All this wrought on the Governor much, and at length drew him off from the match with

The French party prevails.

England, and brought him over to the French interests: which being effected, there was no further use of the Earl of Lenox; so he, finding himself neglected by the Queen and the Cardinal, and abandoned by the crown of France, fled into England, where he was very kindly received by the King, who gave him in marriage his niece, Lady Magaret Douglass, whom the Queen of Scotland had born to the Earl of Angus, her second husband: from which marriage issued the Lord Darnley, father to King James.

When the lords of the French faction had carried things to their mind in Scotland, it was next considered, what they should do to redeem the hostages whom the lords, who were prisoners in England, had left behind them. And for this, no other remedy could be found, but to let them take their hazard, and leave them to the King of England's mercy: to this they all agreed, only the Earl of Cassillis had too much honour and virtue to do so mean a thing. Therefore, after he had done all he could for maintaining the treaty about the match, he went into England, and offered himself again to be a prisoner; but as generous actions are a reward to themselves, so they often meet with that entertainment which they deserve: and upon this occasion, the King was not wanting to express a very great value for that lord. He called him another Regulus, but used him better; for he both gave him his liberty and made him noble presents, and sent him and his hostages back, being resolved to have a severer reparation for the injury done him. All which I have opened more fully, because this will give a great light to the affairs of that kingdom; which will be found in the reigns of the succeeding princes, to have a great intermixture with the affairs of this kingdom. Nor are they justly represented by any who write of these times; and, having seen some original papers relating to Scotland at that time, I have done it upon more certain information.

A war with France.

The King of England next made war upon France: the grounds of this war are recited by the Lord Her-

bert. One of these is proper for me to repeat: "That the French King had not deserted the Bishop of Rome, and consented to a reformation, as he had once promised. The rest related to other things: such as the seizing our ships; the detaining the yearly pension due to the King; the fortifying Ardres, to the prejudice of the English pale; the revealing the King's secrets to the Emperor; the having given, first his daughter, and then the Duke of Guise's sister, in marriage to his enemy the King of Scotland; and his confederating himself with the Turk. And satisfaction not being given in these particulars a war is declared."

In July the King married Katherine Parre, who had been formerly married to Nevil, lord Latimer. She was a secret favourer of the Reformation; yet could not divert a storm, which at this time fell on some in Windsor: for that being a place to which the King did oft retire, it was thought fit to make some examples there. And now the league with the Emperor gave the popish faction a greater interest in the King's councils. There was at this time a society at Windsor, that favoured the Reformation: Anthony Person, a priest, Robert Testwood, and John Marbeck, singing-men, and Henry Filmer, of the town of Windsor, were the chief of them; but those were much favoured by Sir Philip Hobby and his Lady, and several others of the King's family. During Cromwell's power none questioned them; but after his fall they were looked on with an ill eye. Doctor London, who had, by the most servile flatteries, insinuated himself into Cromwell, and was much employed in the suppression of monasteries, and expressed a particular zeal in removing all images and relics which had been abused to superstition, did now, upon Cromwell's fall, apply himself to Gardiner, by whose means he was made a prebendary there. And, to shew how dexterously he could make his court both ways, or to make compensation for what he had formerly done, he took care to gather a whole book of informations against those in Windsor, who favoured the new

A new persecution of protestants.

learning, (which was the modest phrase by which they termed the Reformation.) He carried this book to Gardiner, who moved the King in council, that a commission might be granted for searching suspected houses at Windsor, in which it was informed there were many books against the six Articles. The King granted the warrant for the town, but not for the castle. So those before named were seized on, and some of these books were found in their houses. Dr. Hains, dean of Exeter and prebendary of Windsor, being informed against, was also put in prison; so was likewise Sir Philip Hobby. But there was likewise some papers of notes on the Bible, and of a concordance in English, found in Marbeck's house, written with his own hand: and he being an illiterate man, they did not doubt but these were other men's works, which he was writing out: so they began with him, and hoped to draw discoveries from him. He was frequently examined, but would tell nothing that might do hurt to any other person. But being examined, who wrote these notes, he said they were his own: for he read all the books he could light on, and wrote out what every man had written on any place of Scripture. And for his concordance, he told them, that, being a poor man, he could not buy one of the Bibles when they came first out in English, but set himself to write one out; by which another, perceiving his industry, suggested to him, that he would do well to write a concordance in English; but he said, he knew not what that was; so the other person explaining it to him, he got a Latin concordance, and an English Bible; and having learned a little Latin, when he was young, he, by comparing the English with the Latin, had drawn out a concordance, which he had brought to the letter L. This seemed so extravagant a thing to Gardiner, and the other bishops that examined him, that they could by no means believe it: but he desired they would draw out any words of the letter M, and give him the Latin concordance, with the English Bible, and after a little time they should see whether he had not done the

Marbeck's great ingeniousness

rest. So the trial was made; and in a day's time he had drawn out three sheets of paper, upon those words that were given him. This both satisfied and astonished the bishops, wondering at the ingeniousness and diligence of so poor a man. It was much talked of, and being told the King, he said, "Marbeck employed his time better than those that examined him." For the others, they were kept in prison at London till the 24th of July, that the King gave orders to try them at Windsor.

There was a court held there on the 27th of July, where Capon, bishop of Sarum, and Franklin, dean of Windsor, and Fachel, parson of Reading, and three of the judges, sat on those four men. They were indicted for some words spoken against the mass; Marbeck only for writing out an epistle of Calvin's against it, which he said he copied before the act of the six Articles was made. The jury was not called out of the town, for they would not trust it to them, but out of the farms of the chapel. They were all found guilty, and so condemned to be burnt, which was executed on three of them the next day; only Marbeck was recommended to the Bishop of Winchester's care, to procure his pardon, which was obtained. The other three expressed great composure of mind in their sufferings, and died with much Christian resolution and patience, forgiving their persecutors, and committing themselves to the mercies of God through Jesus Christ. Three burnt at Windsor

But in their trial, Doctor London, and Symonds, a lawyer and an informer, had studied to fish out accusations against many of the King's servants, as Sir Philip Hobby, and Sir Thomas Cawarden, with their ladies, and several others who had favoured those men. With these informations, Oakam, that had been the clerk of the court, was sent to Gardiner; but one of the Queen's servants, who had discovered the design, was before him at court. Upon the advertisement which he had brought, Oakam was seized on at his coming to court, and all his papers were examined; in which they discovered a conspiracy against Their persecutors are perjured

those gentlemen, with other plots, that gave the King great offence; but the particulars are not mentioned. So Doctor London and Symonds were sent for, and examined upon this discovery; but they, not knowing that their letters were intercepted, denied there was any such plot, and, being put to their oaths, swore it. Then their own hand-writing was produced against them; upon which, they, being thus perjured, were ordered to be carried on horseback, with their faces to the horse's tails, and papers on their foreheads, for their perjury, and then to be set in the pillory, both in Windsor, Reading, and Newbury, where the King was at that time. This was accordingly executed on them; but sunk so deep in Doctor London's heart, that he died soon after. From all this it will appear what sort of men the persecutors at that time were.

A conspiracy against Cranmer.

But this was a small part of what Gardiner had projected; for he looked on these as persons unworthy of his displeasure. Cranmer was chiefly aimed at by him; and therefore all that party were still infusing it into the King's mind, that it was great injustice to prosecute poor men with so much severity, and let the chief supporter of heresy stand in so eminent a degree, and in such favour about him. At length the King, to discover the bottom of their designs, seemed to give ear to their accusations, and desired to hear what particulars could be objected against him. This gave them great encouragement; for till that time, the King would let nothing be said against Cranmer: so they concluded he would be quickly ruined, since the King had opened his ear to their informations. Therefore many particulars were quickly laid together, and put into the King's hands; who, a little after that, going to divert himself on the river, ordered his bargemen to row towards Lambeth, which being perceived by some of the Archbishop's servants, they acquainted him with it, who hasted down to his stairs to do his duty to the King. When the King saw him, he called him into the barge; and they being alone, the King lamented the growth of heresy, and the dissensions and con-

Antiq. Brit.

fusions that were like to follow upon it: and said, he intended to find out the chief encourager and favourer of these heresies, and make him an example to the rest. And he asked the Archbishop's opinion about it, who answered him, that it was a good resolution, but entreated the King to consider well what heresy was, and not to condemn those as heretics, who stood for the word of God against human inventions. But, after some discourse, the King told him he was the man, who, as he was informed, was the chief encourager of heresy; and then gave him the articles that were brought against him and his chaplains, both by some prebendaries of Canterbury, and the justices of peace in Kent. When he read them, he kneeled down, and desired the King would put the matter to a trial. He acknowledged he was still of the same mind as he was of, when he opposed the six Articles; but that he had done nothing against them. Then the King asked him about his wife: he frankly confessed he had a wife; but said, that he had sent her to Germany, upon the passing the act against priests having wives. His candour and simplicity wrought so on the King, that he discovered to him the whole plot that was laid against him; and said, that instead of bringing him to any trial about it, he would have him try it out, and proceed against those his accusers. But he excused himself, and said it would not be decent for him to sit judge in his own cause. But the King said to him, he was resolved none other should judge it, but those he should name. So he named his Chancellor and his Register, to whom the King added another; and a commission being given them, they went into Kent, and sat three weeks, to find out the first contrivers of this accusation, And now every one disowned it, since they saw he was still firmly rooted in the King's esteem and favour. But it being observed that the commissioners proceeded faintly, Cranmer's friends moved that some man of courage and authority might be sent thither to canvass this accusation more carefully. So Doctor Lee (or Leighton), dean of York, was brought up about All-hallow-

tide, and sent into Kent: and he, who had been well acquainted with the arts of discovering secrets, when he was one of the visitors of the abbeys, managed it more vigorously. He ordered a search to be made of all suspected persons, among whose papers letters were found, both from the Bishop of Winchester and Doctor London, and some of those whom Cranmer had treated with the greatest freedom and kindness, in which the whole plot against him was discovered. But it was now near the session of parliament, and the King was satisfied with the discovery, but thought it not fit to make much noise of it: and he received no addresses from the Archbishop to prosecute it further, who was so noted for his clemency, and following our Savionr's rule of "doing good for evil," that it was commonly said, the way to get his favour was to do him an injury. These were the only instances in which he expressed his resentments. Two of the conspirators against him had been persons signally obliged by him: the one was the Bishop Suffragan of Dover; the other was a civilian, whom he had employed much in his business. But all the notice he took of it was, to shew them their letters, and to admonish them to be more faithful and honest for the future: upon which he freely forgave them, and carried it so to them afterwards, as if he had absolutely forgotten what they had contrived against him. And a person of quality coming to him about that time to obtain his favour and assistance in a suit in which he was to move the King, he went about it, and had almost procured it; but the King, calling to mind that he had been one of his secret accusers, asked him, whether he took him for his friend; he answered, that he did so. Then the King said, the other was a knave, and was his mortal enemy; and bid him, when he should see him next, to call him a knave to his face. Cranmer answered, that such language did not become a bishop. But the King sullenly commanded him to do it; yet his modesty was such, that he could not obey so harsh a command, and so he passed the matter over. When these things

His Christian temper of mind

came to be known, all persons that were not unjustly prejudiced against him, acknowledged that his behaviour was suitable to the example and doctrine of the meek and lowly Saviour of the world: and very well became so great a bishop, and such a reformer of the Christian religion: who, in those sublime and extraordinary instances, practised that which he taught others to do. The year in which this fell out is not expressed by those who have recorded it; but, by the concurrent circumstances, I judge it likeliest to have been done this year.

1544 A new P liament.

Soon after this the parliament met, that was summoned to meet the 14th of January, in the thirty-fifth year of the King's reign; in which the act of the succession of the crown passed. Which contains, "That the King, being now to pass the seas, to make war upon his ancient enemy the French King, and being desirous to settle the succession to the crown: it is enacted, that, in default of heirs of Prince Edward's body, or of heirs by the King's present marriage, the crown shall go to the Lady Mary, the King's eldest daughter: and in default of heirs of her body, or if she do not observe such limitations or conditions as shall be declared by the King's letters-patents, under his great-seal, or by his last will under his hand, it shall next fall to the Lady Elizabeth and her heirs; or if she have none, or shall not keep the conditions declared by the King, it shall fall to any other that shall be declared by the King's letters-patents, or his last will, signed with his hand. There was also an oath devised, instead of those formerly sworn, both against the Pope's supremacy, and for maintaining the succession in all points, according to this act: which whosoever refused to take, was to be adjudged a traitor; and whosoever should either in words, or by writing, say any thing contrary to this act, or to the peril and slander of the King's heirs, limited in the act, was to be adjudged a traitor." This was done, no doubt, upon a secret article of the treaty with the Emperor; and did put new life into the popish party, all whose hopes depended on the Lady Mary. But how much this lessened the pre-

Act about the s[illegible] sion.

rogative, and the right of succession, will be easily discerned; the King in this affecting an unusual extent of his own power, though with the diminution of the rights of his successors.

There was another bill about the qualifying of the act of the six Articles, that was sent divers times from the one House to the other. It was brought to the Lords the 1st of March, and read the first time; and stuck till the 4th, when it was read the second time; on the 5th it was read the third time, and passed, and was sent down to the Commons, with "words to be put in, or put out of it." On the 6th, the Commons sent it up with some alterations: and on the 8th, the Lords sent it down again to the Commons; where it lay till the 17th, and then it was sent up with their agreement. And the King's assent was given by his letters-patents, on the 29th of March. The preamble was, "That whereas untrue accusations and presentments might be maliciously contrived against the King's subjects, and kept secret till a time were espied to have them by malice convicted; therefore it was enacted, that none should be indicted but upon a presentment by the oaths of twelve men, to at least three of the commissioners appointed by the King; and that none should be imprisoned but upon an indictment, except by a special warrant from the King; and that all presentments should be made within one year after the offences were committed; and if words were uttered in a sermon contrary to the statute, they must be complained of within forty days, unless a just cause were given why it could not be so soon; admitting also the parties indicted to all such challenges as they might have in any other case of felony." This act has clearly a relation to the conspiracies mentioned the former year, both against the Archbishop and some of the King's servants.

Act against conspiracies

Another act passed, continuing some former acts for revising the canon law, and for drawing up such a body of ecclesiastical laws, as should have authority in England. This Cranmer pressed often with great vehemence; and to shew the necessity of it, drew

out a short extract of some passages in the canon law, (which the reader will find in the Collection,) to shew how indecent a thing it was, to let a volume, in which such laws were, be studied or considered any longer in England. Therefore he was earnest to have such a collection of ecclesiastical laws made, as might regulate the spiritual courts. But it was found more for the greatness of the prerogative, and the authority of the civil courts, to keep that undetermined; so he could never obtain his desire during this King's reign. Collect. Numb. 67

Another act passed in this parliament, for the remission of a loan of money, which the King had raised. This is almost copied out of an act to the same effect, that passed in the twenty-first year of the King's reign: with this addition, that by this act, those who had got payment, either in whole, or in part, of the sums so lent the King, were to repay it back to the Exchequer. All business being finished, and a general pardon passed, with the ordinary exceptions of some crimes, among which heresy is one, the parliament was prorogued on the 29th of March to the 4th of November.

The King had now a war both with France and Scotland upon him. And therefore to prepare for it, he both enhanced the value of money, and embased it: for which, he that writes his vindication gives this for the reason—that the coin being generally embased all over Europe, he was forced to do it, lest otherwise all the money should have gone out of the kingdom. He resolved to begin the war with Scotland; and sent an army by sea thither, under the command of the Earl of Hartford, (afterwards Duke of Somerset,) who landing at Grantham, a little above Leith, burnt and spoiled Leith and Edinburgh, in which they found more riches than they thought could possibly have been there; and they went through the country, burning and spoiling it every where, till they came to Berwick. But they did too much if they intended to gain the hearts of that people, and too little if they intended to subdue them. For as they besieged not the castle of Edinburgh, which would have cost them more time and trouble; so they did not fortify Leith, The wars against Scotland successful

nor leave a garrison in it; which was such an inexcusable omission, that it seems their counsels were very weak and ill laid. For Leith being fortified, and a fleet kept going between it and Berwick, or Tinmouth, the trade of the kingdom must have been quite stopped, Edinburgh ruined, the intercourse between France and them cut off, and the whole kingdom forced to submit to the King. But the spoils this army made, had no other effect but to enrage the kingdom, and unite them so entirely to the French interests, that when the Earl of Lenox was sent down by the King to the western parts of Scotland, where his power lay, he could get none to follow him. And the Governor of Dunbritton Castle, though his own lieutenant, would not deliver that castle to him, when he understood he was to put it in the King of England's hands, but drove him out; others say, he fled away of himself, else he had been taken prisoner.

The King was now to cross the seas: but before he went, he studied to settle the matters of religion, so that both parties might have some content. Audley, the chancellor, dying, he made the Lord Wriothesley, that had been secretary, and was of the popish party, lord chancellor; but made Sir William Petre, that was Cranmer's great friend, secretary of state. He also committed the government of the kingdom in his absence to the Queen, to whom he joined the Archbishop of Canterbury, the Lord Chancellor, the Earl of Hartford, and Secretary Petre. And if there was need of any force to be raised, he appointed the Earl of Hartford his lieutenant; under whose government the reformers needed not fear any thing. But he did another act, that did wonderfully please that whole party; which was, the translating of the prayers for the processions and litanies into the English tongue. This was sent to the Archbishop of Canterbury on the 11th of June, with an order that it should be used over all his province, as the reader will find in the Collection. This was not only very acceptable to that party, because of the thing itself; but it gave them hope, that the King was again opening his ears

Collect Numb. 28.

to motions for reformation, to which they had been shut now about six years: and therefore they looked that more things of that nature would quickly follow. And as these prayers were now set out in English, so they doubted not, but there being the same reason to put all the other offices in the vulgar tongue, they would prevail for that too.

Things being thus settled at home, the King, having sent his forces over before him, crossed the seas, with much pomp, the sails of his ship being of cloth of gold. He landed at Calais the 14th of July. The Emperor pressed his marching straight to Paris; but he thought it of more importance to take Bulloign, and, after two months' siege, it was surrendered to him; into which he made his entry with great triumph on the 18th of September. But the Emperor, having thus engaged those two crowns in a war, and designing, while they should fight it out, to make himself master of Germany, concluded a treaty with the French King the very next day, being the 19th of September; which is set down at large by the Lord Herbert. On the 30th of September, the King returned to England: in October following, Bulloign was very near lost by a surprise; but the garrison put themselves in order, and beat back the French. Several inroads were made into Scotland, but not with the same success that the former expedition had. For the Scots, animated with supplies sent from France, and inflamed with a desire of revenge, resumed their wonted courage, and beat back the English with considerable loss.

Bulloign taken

Next year, the French King, resolving to recover Bulloign, and to take Calais, that so he might drive the English out of France, intended first to make himself master of the sea. And he set out a great fleet of a hundred and fifty greater ships, and sixty lesser ones, besides many galleys brought from the Streights. The King set out about a hundred ships. On both sides, these were only merchant ships that were hired for this war. But after the French fleet had looked on England, and attempted to land with ill success,

1545.

both in the Isle of Wight and in Sussex, and had engaged in a sea-fight for some hours, they returned back without any considerable action; nor did they any thing at land. But the King's fleet went to Normandy, where they made a descent, and burnt the country; so that this year was likewise glorious to the King. The Emperor had now done what he long designed: and therefore, being courted by both crowns, he undertook a mediation, that, under the colour of mediating a peace, he might the more effectually keep up the war.

The German princes mediate a peace.

The princes of Germany saw what mischief was designed against them. The council of Trent was now opened, and was condemning their doctrine. A league was also concluded between the Pope and the Emperor, for procuring obedience to their canons and decrees; and an army was raising. The Emperor was also setting on foot old quarrels with some of the princes. A firm peace was concluded with the Turk. So that if the crowns of England and France were not brought to an agreement, they were undone. They sent ambassadors to both courts to mediate a peace. With them Cranmer joined his endeavours, but he had not a Cromwell in the court to manage the King's temper; who was so provoked with the ill treatment he had received from France, that he would not come to an agreement: nor would he restore Bulloign, without which the French would hear of no peace. Cranmer had, at this time, almost prevailed with the King to make some further steps in a reformation. But Gardiner, who was then ambassador in the Emperor's court, being advertised of it, wrote to the King; that the Emperor would certainly join with France against him, if he made any further innovation in religion. This diverted the King from it; and in August, this year, the only great friend that Cranmer had in the court died, Charles, duke of Suffolk, who had long continued in the height of favour; which was always kept up, not only by an agreement of humours between the King and him, but by the constant success which followed him in all his exploits. He was a favourer

of the Reformation, as far as could consist with his interest at court, which he never endangered upon any account.

Church preferments given to reformers.

Now Cranmer was left alone, without friend or support: yet he had gained one great preferment in the church, to a man of his own mind. The archbishoprick of York falling void by Lee's death, Robert Holgate, that was bishop of Landaff, was promoted to that see in January; Kitchin being made bishop of Landaff, who turned with every change that was made under the three succeeding princes. The Archbishop of York set about the reforming of things in his province, which had laid in great confusion all his predecessor's time: so on the 3d of March, he took out a license from the King for making a metropolitical visitation. Bell, that was bishop of Worcester, had resigned his bishoprick the former year, (the reason of which is not set down.) The Bishop of Rochester, Heath, was translated to that see: and Henry Holbeach, that favoured the Reformation, was made bishop of Rochester. And, upon the translation of Sampson from Chichester to Coventry and Lichfield, Day, that was a moderate man, and inclinable to reformation, was made bishop of that see. So that now Cranmer had a greater party among the bishops than at any time before.

But though there were no great transactions about religion in England this year, there were very remarkable things done in Scotland, though of a different nature; which were, the burning of Wishart, and, some months after that, the killing of Cardinal Beaton; the account of both which will not, I hope, be ingrateful to the reader.

Wishart's sufferings in Scotland.

Mr. George Wishart was descended of a noble family; he went to finish his studies in the University of Cambridge, where he was so well instructed in the principles of true religion, that, returning to Scotland, anno 1544, he preached over the country, against the corruptions which did then so generally prevail. He stayed most at Dundee, which was the chief town in these parts. But the Cardinal, offended at this, sent

a threatening message to the magistrates; upon which one of them, as Wishart ended one of his sermons, was so obsequious as to forbid him to preach any more among them, or give them any further trouble: Spotswood. to whom he answered, "That God knew he had no design to trouble them; but for them to reject the messengers of God, was not the way to escape trouble; when he was gone, God would send messengers of another sort among them. He had, to the hazard of his life, preached the word of salvation to them, and they had now rejected him: but if it was long well with them, he was not led by the Spirit of truth; and if unlooked-for trouble fell on them, he bade them remember this was the cause of it, and turn to God by repentance." From thence he went to the western parts, where he was also much followed. But the Archbishop of Glasgow giving orders that he should not be admitted to preach in churches, he preached often in the fields: and when, in some places, his followers would have forced the churches, he checked them, and said, it was the word of peace that he preached, and therefore no blood should be shed about it. But after he had stayed a month there, he heard that there was a great plague in Dundee, which broke out the fourth day after he had left it: upon which, he presently returned thither, and preached oft to them, standing over one of the gates, having taken care that the infected persons should stand without, and those that were clean within the gate. He continued among them, and took care to supply the poor and to visit the sick, and do all the offices of a faithful pastor in that extremity. Once, as he ended his sermon, a priest coming to have killed him, was taken with the weapon in his hand; but when the people were rushing furiously on him, Wishart got him in his arms and saved him from their rage; for he said he had done no harm, only they saw what they might look for. He became a little after this more than ordinary serious and apprehensive of his end: he was seen sometimes to rise in the night, and spend the greatest part of it in prayer; and he often warned his

hearers that his sufferings were at hand, but that few should suffer after him, and that the light of true religion should be spread over the whole land. He went to a great many places, where his sermons were well received; and came last to Lothian, where he found a greater neglect of the gospel than in other parts, for which he threatened them, "That strangers should chase them from their dwellings, and possess them." He was lodged in a gentleman of quality's house, Cockburn, of Ormeston; when, in the night, the house was beset by some horsemen, who were sent by the Cardinal's means to take him. The Earl of Bothwell, that had the chief jurisdiction in the county, was with them, who promising that no hurt should be done him, he caused the gate to be opened, saying, "The blessed will of God be done." When he presented himself to the Earl of Bothwell, he desired to be proceeded with according to law, for he said, he feared less to die openly, than to be murdered in secret. The Earl promised, upon his honour, that no harm should be done him; and, for some time, seemed resolved to have made his words good: but the Queen-Mother and Cardinal, in the end, prevailed with him to put Wishart in their hands; and they sent him to St. Andrew's, where it was agreed to make a sacrifice of him. Upon this the Cardinal called a meeting of the bishops to St. Andrew's, against the 27th of February, to destroy him with the more ceremony: but the Archbishop of Glasgow moved, that there should be a warrant procured from the Lord Governor for their proceedings. To this the Cardinal consented, thinking the Governor was then so linked to their interests that he would deny them nothing: but the Governor, bearing in his heart a secret love to religion, and being plainly dealt with by a gentleman of his name, Hamilton, of Preston, who laid before him the just and terrible judgments of God he might look for, if he suffered poor innocents to be so murdered at the appetite of the clergy, sent the Cardinal word not to proceed till he himself came, and that he would not consent to his death, till the cause was well examined; and that if the Cardinal

proceeded against him, his blood should be required at his hands. But the Cardinal resolved to go on at his peril; for he apprehended if he delayed it, there might be either a legal or a violent rescue made: so he ordered a mock citation of Wishart to appear; who being brought the next day to the abbey church, the process was opened with a sermon, in which the preacher delivered a great deal of good doctrine, concerning the Scriptures being the only touchstone by which heresy was to be tried. After sermon, the prisoner was brought to the bar: he first fell down on his knees, and after a short prayer he stood up, and gave a long account of his sermons: that he had preached nothing but what was contained in the Ten Commandments, the Apostles' Creed, and the Lord's Prayer; but was interrupted with reproachful words, and required to answer plainly to the articles objected to him. Upon which he appealed to an indifferent judge: he desired to be tried by the word of God, and before my Lord Governor, whose prisoner he was: but the indictment being read, he, confessing and offering to justify most of the articles objected against him, was judged an obstinate heretic, and condemned to be burnt. All the next night he spent in prayer: in the morning, two friars came to confess him, but he said he would have nothing to do with them; yet, if he could, he would gladly speak with the learned man that preached the day before. So he being sent to him, after much conference, he asked him, if he would receive the sacrament? Wishart answered, he would most gladly do it, if he might have it as Christ had instituted it, under both kinds; but the Cardinal would not suffer the sacrament to be given him. And so breakfast being brought, he discoursed to those that were present of the death of Christ, and the ends of the sacrament; and then, having blessed and consecrated the elements, he took the sacrament himself, and gave it to those that were with him. That being done, he would taste no other thing, but retired to his devotion. Two hours after the executioners came, and put on him a coat of black linen, full of bags of pow-

der, and carried him out to the place of execution, which was before the Cardinal's castle. He spake a little to the people, desiring them not to be offended at the good word of God, for the sufferings that followed it; it was the true gospel of Christ that he had preached, and for which, with a most glad heart and mind, he now offered up his life. The Cardinal was set in state in a great window of his castle, looking on this sad spectacle. When Wishart was tied to the stake, he cried aloud, "O Saviour of the world, have mercy upon me! Father of heaven, I recommend my spirit into thy holy hands." So the executioner kindled the fire; but one perceiving, after some time, that he was yet alive, encouraged him to call still on God; to whom he answered, "The flame hath scorched my body, yet hath it not daunted my spirit; but he who, from yonder high place (looking up to the Cardinal), beholdeth us with such pride, shall within few days lie in the same, as ignominiously as now he is seen proudly to rest himself." The executioner drawing the cord that was about his neck straiter, stopped his breath, so that he could speak no more, and his body was soon consumed by the fire. Thus died this eminent servant and witness of Christ; on whose sufferings I have enlarged the more, because they proved so fatal to the interests of the popish clergy; for not any one thing hastened to forward the Reformation more than this did: and since he had both his education and ordination in England, a full account of him seems no impertinent digression.

The clergy rejoiced much at his death; and thought (according to the constant maxim of all persecutors), that they should live more at ease, now when Wishart was out of the way. They magnified the Cardinal for proceeding so vigorously, without, or rather against, the Governor's orders: but the people did universally look on him as a martyr, and believed an extraordinary measure of God's Spirit had rested on him; since, besides great innocency and purity of life, his predictions came so oft to pass, that he was believed a prophet as well as a saint: and the Re-

formation was now so much opened by his preaching, and that was so confirmed by his death, that the nation was generally possessed with the love of it. The nobility were mightily offended with the Cardinal; and said, Wishart's death was no less than murder, since the clergy, without a warrant from the secular power, could dispose of no man's life: so it came universally to be said, that he now deserved to die by the law; yet since he was too great for a legal trial, the kingdom being under the feeble government of a regency, it was fit private persons should undertake it; and it was given out, that the killing an usurper was always esteemed a commendable action, and so, in that state of things, they thought secret practices might be justified. This agreeing so much with the temper of some in that nation, who had too much of the heat and forwardness of their country, a few gentlemen of quality, who had been ill used by the Cardinal, conspired his death. He was become generally hateful to the whole nation; and the marriage of his bastard daughter to the Earl of Crawford's eldest son, enraged the nobility the more against him; and his carriage towards them was insolent and provoking. These offended gentlemen came to St. Andrew's the 29th of May; and the next morning, they and their attendants, being but twelve in all, first attempted the gate of his castle, which they found open, and made it sure; and though there were no fewer than a hundred reckoned to be within the castle, yet they, knowing the passages of the house, went with very little noise to the servants' chambers, and turned them almost all out of doors; and having thus made the castle sure, they went to the Cardinal's door. He, who till then was fast asleep, suspecting nothing, perceived, at last, by their rudeness, that they were not his friends, and made his door fast against them. So they sent for fire to set to it; upon which he treated with them, and, upon assurance of life, he opened the door: but they rushing in, did most cruelly and treacherously murder him. A tumult was raised in the town, and many of his friends came to

rescue him; but the conspirators carried the dead body, and exposed it to their view, in the same window out of which he had not long before looked on when Wishart was burnt, which had been universally censured as a most indecent thing in a churchman, to delight in such a spectacle. But those who condemned this action, yet acknowledged God's justice in so exemplary a punishment; and reflecting on Wishart's last words, were the more confirmed in the opinion they had of his sanctity. This fact was differently censured; some justified it, and said, it was only the killing of a mighty robber; others, that were glad he was out of the way, yet condemned the manner of it as treacherous and inhuman. And though some of the preachers did afterwards fly to that castle as a sanctuary, yet none of them were either actors or consenters to it: it is true they did generally extenuate it, yet I do not find that any of them justified it. The exemplary and signal ends of almost all the conspirators, scarce any of them dying an ordinary death, made all people the more inclined to condemn it. The day after the Cardinal was killed, about a hundred and forty came into the castle and prepared for a siege. The house was well furnished in all things necessary; and it lying so near the sea, they expected help from King Henry, to whom they sent a messenger for his assistance, and declared for him. So a siege following, they were so well supplied from England, that, after five months, the Governor was glad to treat with them, apprehending much the footing the English might have, if those within, being driven to extremities, should receive a garrison from King Henry. They had the Governor also more at their mercy; for as the Cardinal had taken his eldest son into his house under the pretence of educating him, but really as his father's hostage, designing likewise to infuse in him a violent hatred of the new preachers; so the conspirators, finding him in the castle, kept him still to help them to better terms. A treaty being agreed on, they demanded their pardon for what they had done, together with an absolution,

to be procured from Rome, for the killing of the Cardinal; and that the castle, and the Governor's son, should remain in their hands till the absolution was brought over. Some of the preachers, apprehending the clergy might revenge the Cardinal's death on them, were forced to fly into the castle; but one of them, John Rough (who was afterwards burnt in England in Queen Mary's time), being so offended at the licentiousness of the soldiers that were in the castle, who were a reproach to that which they pretended to favour, left them, and went away in one of the ships that brought provisions out of England. When the absolution came from Rome, they excepted to it, for some words in it that called the killing of the Cardinal *crimen irremissibile*, an unpardonable crime; by which they said the absolution gave them no security, since it was null, if the fact could not be pardoned. The truth was, they were encouraged from England; so they refused to stand to the capitulation, and rejected the absolution. But some ships and soldiers being sent from France, the castle was besieged at land, and shut up also by sea; and, which was worst of all, a plague broke out within it, of which many died. Upon this, no help coming suddenly from England, they were forced to deliver up the place, on no better terms than their lives should be spared; but they were to be banished Scotland, and never to return to it. The castle was demolished, according to the canon law, that appoints all places, where any cardinal is killed, to be rased. This was not completed this year, and not till two years after; only I thought it best to join the whole matter together, and set it down all at once.

A parliament sits.

In November following a new parliament was held: where, toward the expense of the King's wars, the convocation of the province of Canterbury granted a continuation of the former subsidy of six shillings in the pound, to be paid in two years: but, for the temporality, a subsidy was demanded from them of another kind: there were in the kingdom several colleges, chapels, chantries, hospitals, and fraterni-

Chapters and chantries given to the King.

ties, consisting of secular priests, who enjoyed pensions for saying mass for the souls of those who had endowed them. Now the belief of purgatory being left indifferent by the doctrine set out by the bishops, and the trade of redeeming souls being condemned, it was thought needless to keep up so many endowments to no purpose. Those priests were also generally ill-affected to the King's proceedings, since their trade was so much lessened by them. Therefore many of them had been dealt with to make resignations; and four-and-twenty of them had surrendered to the King. It was found, also, that many of the founders of these houses had taken them into their own hands; and that the master, wardens, and governors of them had made agreements for them, and given leases of them: therefore now, a subsidy being demanded, all these were given to the King by act of parliament; which also confirmed the deeds that any had made to the King: empowering him, in any time of his life, to issue out commissions for seizing on these foundations, and taking them into his own possession: which, being so seized on, should belong to the King and his successors for ever. They also granted another subsidy for the war. When all their business was done, the King came to the House, and made a long speech, of which I cannot sufficiently wonder that no entry is made in the Journals of the House of Lords; yet it is not to be doubted but he made it, for it was published by Hall soon after.

When the Speaker of the House of Commons had presented the bills, with a speech full of respect and compliment, as is usual upon these occasions, the King answered—"Thanking them for the subsidy, and the bill about the colleges and chantries; and assured them, that he should take care both for supplying the ministers, for encouraging learning, and relieving the poor; and that they should quickly perceive, that, in these things, their expectations should be answered, beyond what they either wished or desired. And, after he had expressed his affection to them, and the assurance he had of their duty and

The King's speech to the Hou

fidelity to him, he advised them to amend one thing; which was, that, instead of charity and concord, discord and division ruled every where. He cited St. Paul's words: 'That charity was gentle, and not envious, nor proud:' but when one called another heretic, and the other called him papist, and pharisee, were these the signs of charity? The fault of this he charged chiefly on the fathers and teachers of the spirituality, who preached one against another, without charity or discretion; some being too stiff in their old *mumpsimus*, others too busy and curious in their new *sumpsimus*; and few preached the word of God truly and sincerely. And how could the poor people live in concord, when they sowed debate among them? Therefore he exhorted them to set forth God's word by true preaching, and giving a good example; or else he, as God's vicar and high minister, would see these enormities corrected, which if he did not do he was an unprofitable servant and an untrue officer. He next reproved them of the temporality, who railed at their bishops and priests: whereas, if they had any thing to lay to their charge, they ought to declare it to the King or his council, and not take upon them to judge such high points: for, though they had the Scriptures given them in their mother-tongue, yet that was only to inform their own consciences, and instruct their children and families; but not to dispute, nor from thence to rail against priests and preachers, as some vain persons did. He was sorry that such a jewel as the word of God was so ill used; that rhymes and songs were taken out of it: but much more sorry that men followed it so little; for charity was never fainter, a godly life never less appeared, and God was never less reverenced and worshipped. Therefore he exhorted them to live as brethren in charity together, to love, dread, and serve God; and then the love and union between him and them should never be dissolved. And so exhorting them to look to the execution of the laws which themselves had desired, he gave his royal assent to the bills, and dismissed the parliament."

The King gave at this time a commission to the Bishops of Westminster, Worcester, and Chichester, and the Chancellor of the court of Augmentation, Sir Edward North, containing, "That whereas the King had founded many cathedrals, in which he had given large allowances, both to be distributed to the poor, and to be laid out for the mending of highways; to Canterbury, 100*l.* for the poor, and 40*l.* for the highways: to Rochester, 20*l.* for the poor, and 20*l.* for the highways: to Westminster, 100*l.* for the poor, and 40*l.* for the highways: to Winchester, 100 marks for the poor, and 50 for the highways: to Bristol, Gloucester, Chester, Burton-upon-Trent, Thornton, Peterborough, and Ely, 20*l.* a-piece for the poor, and as much for the highways: to Worcester, 40*l.* for the poor, and 40*l.* for the highways: to Duresme, 100 marks for the poor, and 40*l.* for the highways: and to Carlisle, 15*l.* for the poor, and as much for the highways: in all, about 550*l.* a-year to the poor, and about 400*l.* a-year for the highways. they were to inquire how this money was distributed; and, if they saw cause, they might order it to be applied to any other use which they should judge more charitable and convenient." But what followed upon this, does not appear by the Records.

The King confirms the rights of the Universities

After the parliament was dissolved, the Universities made their applications to the King, that they might not be included within the general words in the act of dissolution of colleges and fraternities. And Dr. Cox, tutor to the Prince, wrote to Secretary Paget, to "represent to the King the great want of schools, preachers, and houses for orphans; that beggary would drive the clergy to flattery, superstition, and the old idolatry: there were ravenous wolves about the King that would devour universities, cathedrals, and chantries, and a thousand times as much. Posterity would wonder at such things: therefore he desired the Universities might be secured from their spoils." But the King did quickly free them from these fears.

Now I enter into the last year of this King's reign. 1546.
The war in France was managed with doubtful suc-

cess: yet the losses were greater on the English side. And the forces being commanded by the Earl of Surrey, who was brave, but unsuccessful; he was not only blamed, but recalled, and the Earl of Hartford sent to command in his room: but he, being a man of a high spirit, and disdaining the Earl of Hartford, who was now preferred before him, let fall some words of high resentment and bitter contempt, which not long after wrought his ruin. The King was now alone in the war, which was very chargeable to him; and observing the progress that the council of Trent was making, where Cardinal Pole being one of the legates, he had reason to look for some severe decree to be made against himself; since none of the heretics of Germany were so much hated by the court of Rome as he was: therefore he listened to the counsels of peace. And though he was not old, yet he felt such decays in his strength, that, being extremely corpulent, he had no reason to think he could live very long: therefore, that he might not leave his young son involved in a war of such consequence, peace was concluded in June, which was much to the King's honour; though the taking and keeping of Bulloign, (which by this peace the King was to keep for eight years) cost him above 1,300,000*l.*

Peace with France

A new design for reformation

Upon the peace, the French admiral, Annebault, came over to England. And now, again, a resolution of going on with a reformation was set on foot: for it was agreed between the King and the Admiral, that in both kingdoms the mass should be changed into a communion; and Cranmer was ordered to draw a form of it. They also resolved to press the Emperor to do the like in his dominions, otherwise to make war upon him: but how this project failed does not appear. The animosities which the former war had raised between the two Kings were converted into a firm friendship: which grew so strong on Francis's part, that he never was seen glad at any thing, after he had the news of the King's death.

Shaxton's apostacy

But now one of the King's angry fits took him at the reformers, so that there was a new persecution of

them. Nicholas Shaxton, that was bishop of Salisbury, had been long a prisoner; but this year he had said, in his imprisonment in the Compter in Bread Street, "That Christ's natural body was not in the sacrament, but that it was a sign and memorial of his body that was crucified for us." Upon this he was indicted, and condemned to be burnt. But the King sent the Bishops of London and Worcester to deal with him to recant; which, on the 9th of July, he did, acknowledging, "That that year he had fallen, in his old age, in the heresy of the sacramentaries: but that he was now convinced of that error, by their endeavours whom the King had sent to him; and therefore he thanked the King for delivering him both from temporal and eternal fire:" and subscribed a paper of articles, which will be found in the Collection. Upon this, he had his pardon and discharge sent him the 13th of July, and soon after preached the sermon at the burning of Anne Askew; and wrote a book in defence of the articles he had subscribed. What became of him all Edward the Sixth's time I cannot tell; but I find he was a cruel persecutor and burner of protestants in Queen Mary's days: yet it seems those to whom he went over did not consider him much, for they never raised him higher than to be suffragan to the Bishop of Ely. Others were also indicted upon the same statute, who got off by a recantation, and were pardoned. But Anne Askew's trial had a more bloody conclusion.

Collect Numb 28.

She was nobly descended, and educated beyond what was ordinary in that age to those of her sex: but she was unfortunately married to one Kyme, who, being a violent papist, drove her out of his house, when he found she favoured the Reformation: so she came to London, where, information being given of some words that she had spoken against the corporal presence in the sacrament, she was put in prison: upon which, great applications were made by many of her friends to have her let out upon bail. The Bishop of London examined her, and, after much pains, she was brought to set her hand to a recantation, by which she

The troubles of Anne Askew.

acknowledged, "That the natural body of Christ was present in the sacrament after the consecration, whether the priest were a good or an ill man; and that, whether it was presently consumed or reserved in the *pix*, it was the true body of Christ." Yet she added to her subscription, that she believed all things according to the catholic faith, and not otherwise. With this the Bishop was not satisfied; but, after much ado and many importunate addresses, she was bailed in the end of March this year. But not long after that she was again apprehended, and examined before the King's council, then at Greenwich, where she seemed very indifferent what they did with her. She answered them in general words, upon which they could fix nothing, and made some sharp repartees upon the Bishop of Winchester. Some liked the wit and freedom of her discourse; but others thought she was too forward. From thence she was sent to Newgate, where she wrote some devotions and letters, that shew her to have been a woman of most extraordinary parts. She wrote to the King, "That as to the Lord's supper, she believed as much as Christ had said in it, and as much as the catholic church from him did teach." Upon Shaxton's recantation, they sent him to her to prevail with her: but she, instead of yielding to him, charged his inconstancy home upon him. She had been oft at court, and was much favoured by many great ladies there; and it was believed the Queen had shewed kindness to her. So the Lord Chancellor examined her of what favour or encouragement she had from any in the court, particularly from the Duchess of Suffolk, the Countess of Hartford, and some other ladies: but he could draw nothing from her, save that one in livery had brought her some money, which he said came from two ladies in the court: but they resolved to extort further confessions from her; and, therefore, carrying her to the Tower, they caused her to be laid on the rack, and gave her a taste of it. Yet she confessed nothing. That she was racked is very certain; for I find it in an original Journal of the transactions in the Tower, written by Anthony An-

thony. But Fox adds a passage that seems scarce credible; the thing is so extraordinary, and so unlike the character of the Lord Chancellor, who, though he was fiercely zealous for the old superstition, yet was otherwise a great person: it is, that he commanded the Lieutenant of the Tower to stretch her more, but he refused to do it; and being further pressed, told him plainly he would not do it; the other threatened him, but to no purpose; so the Lord Chancellor, throwing off his gown, drew the rack so severely, that he almost tore her body asunder, yet could draw nothing from her; for she endured it with unusual patience and courage. When the King heard this, he blamed the Lord Chancellor for his cruelty, and excused the Lieutenant of the Tower. Fox does not vouch any warrant for this; so that though I have set it down, yet I give no entire credit to it: if it was true, it shews the strange influence of that religion, and that it corrupts the noblest natures; yet the poor gentlewoman's being racked, wrought no pity in the King towards her, for he left her to be proceeded against according to her sentence: she was carried to the stake in Smithfield a little after that in a chair, not being able to stand through the torments of the rack. There were brought with her, at the same time, one Nicholas Belenian, a priest, John Adams, a tailor, and John Lassels, one of the King's servants; (it is likely he was the same person that had discovered Queen Katherine Howard's incontinency; for which all the popish party, to be sure, bore him no good will.) They were all convicted upon the statute of the six Articles, for denying the corporal presence of Christ in the sacrament. When they were brought thither, Shaxton, to complete his apostacy, made a sermon of the sacrament, and inveighed against their errors; that being ended, they were tied to the stake; and then the Lord Chancellor sent and offered them their pardon, which was ready passed under the seal, if they would recant: but they loved not their lives so well as to redeem them by the loss of a good conscience; and therefore encouraging one another to

She endures the rack.

And is burnt with some others.

suffer patiently for the testimony of the truth, so they endured to the last, and were made sacrifices by fire unto God. There were also two in Suffolk, and one in Norfolk, burnt on the same account a little before this.

A new design against Cranmer.

But that party at court, having incensed the King much against those heretics, resolved to drive it further; and to work the ruin both of the Archbishop of Canterbury and of the Queen: concluding, that, if these attempts were successful, they should carry every thing else. They therefore renewed their complaints of the Archbishop of Canterbury; and told the King, that though there were evident proofs ready to be brought against him, yet, because of his greatness and the King's carriage upon the former complaints, none durst appear against him: but if he were once put in the Tower, that men might hope to be heard, they undertook to bring full and clear evidences of his being a heretic. So the King consented that he should be the next day called before the council and sent to the Tower, if they saw cause for it. And now they concluded him ruined; but, in the night, the King sent Sir Anthony Denny to Lambeth to bring the Archbishop to speak with him: and when he came, the King told him what informations had been brought against him, and how far he had yielded to them, that he should be sent to the Tower next day: and, therefore, desired to hear from himself what he had to say upon it. Cranmer thanked him that he had not left him in the dark to be surprised in a matter that concerned him so nearly: he acknowledged the equity of the King's proceedings; and all that he desired was, that he might be brought to make his answer; and that, since he was to be questioned for some of his opinions, judges might be assigned who understood those matters. The King heard this with astonishment, wondering to see a man so little concerned in his own preservation; but pleasantly told him, "he was a fool that looked to his own safety so little: for did he think that if he were once put in prison, abundance of false witnesses would not be suborned to ruin him? therefore, since he did not

The King's great care of him.

take care of himself, he would look to it." And so he ordered him to appear next day before the council, upon their summons; and, when things were objected to him, to say, that since he was a privy-counsellor, he desired they would use him, as they would look to be used in the like case; and, therefore, to move that his accusers might be brought face to face, and things be a little better considered before he was sent to the Tower. And if they refused to grant that, then he was to appeal personally to the King (who intended to be absent that day), and in token of it should shew them the King's seal-ring which he wore on his finger, and was well known to them all. So the King, giving him his ring, sent him privately home again. Next morning a messenger of the council came early, and summoned him to appear that day before the council: so he went over, but was long kept waiting in the lobby before he was called in. At this unusual sight many were astonished: but Dr. Buts, the King's physician, that loved Cranmer, and presumed more on a diseased King than others durst do, went and told the King what a strange thing he had seen: "the Primate of all England waiting at the council-door among the footmen and servants." So the King sent them word, that he should be presently brought in; which being done, they said, that there were many informations against him, that all the heresies that were in England came from him and his chaplains. To which he answered as the King had directed him. But they insisting on what was before projected, he said he was sorry to be thus used by those with whom he had sat so long at that board, so that he must appeal from them to the King: and with that took out the King's ring and shewed it. This put them in a wonderful confusion; but they all rose up and went to the King, who checked them severely for using the Archbishop so unhandsomely. He said, "he thought he had a wiser council than now he found they were. He protested, by the faith he owed to God, laying his hand on his breast, that if a prince could be obliged by his subject he was by the Archbishop;

and that he took him to be the most faithful subject he had, and the person to whom he was most beholden." The Duke of Norfolk made a trifling excuse, and said, "they meant no harm to the Archbishop, but only to vindicate his innocency by such a trial, which would have freed him from the aspersions that were cast on him." But the King answered, "he would not suffer men that were so dear to him to be handled in that fashion. He knew the factions that were among them, and the malice that some of them bore to others, which he would either extinguish or punish very speedily." So he commanded them all to be reconciled to Cranmer; which was done with the outward ceremony of taking him by the hand, and was most real on his part, though the other party did not so easily lay down the hatred they bore him. This I place at this time; though Parker, who related it, names no year nor time in which it was done; but he leads us very near it, by saying, it was after the Duke of Suffolk's death; and this being the only time after that in which the King was in an ill humour against the reformers, I conclude it fell out at this time.*

Antiq Brit. in vita Cranmer

Another design against the Queen

That party, finding it was in vain to push at Cranmer any more, did never again endeavour it: yet one design failing, they set on another against the Queen. She was a great favourer of the reformers, and had frequently sermons in her privy-chamber by some of those preachers; which were not secretly carried, but became generally known. When it came to the King's ears, he took no notice of it: and the Queen carried herself, in all other things, not only with an exact conduct, but with that wonderful care about the King's person, which became a wife that was raised by him to so great an honour, that he was much taken with her; so that none durst venture on making any complaints against her. Yet the King's distempers increasing, and his peevishness growing with them, he

* This story concerning Cranmer must belong to the former year, for Buts, that bore a share in it, died on the 17th of November, 1545, as appears by the inscription on his tomb-stone in Fulham church so this passage, being after the Duke of Suffolk's death, which was in August that year, should be placed between August and November, 1545.

became more uneasy; and whereas she had frequently used to talk to him of religion, and defend the opinions of the reformers, in which he would sometimes pleasantly maintain the argument, now, becoming more impatient, he took it ill at her hands. And she had sometimes in the heat of discourse gone very far. So one night, after she had left him, the King being displeased vented it to the Bishop of Winchester that stood by: and he craftily and maliciously struck in with the King's anger, and said all that he could devise against the Queen, to drive his resentments higher; and took in the Lord Chancellor into the design to assist him. They filled the King's head with many stories of the Queen, and some of her ladies: and said they had favoured Anne Askew, and had heretical books amongst them; and he persuaded the King that they were traitors as well as heretics. The matter went so far that articles were drawn against her, which the King signed; for without that it was not safe for any to impeach the Queen. But the Lord Chancellor putting up that paper carelessly, it dropped from him; and being taken up by one of the Queen's party, was carried to her. Whether the King had really designed her ruin or not, is differently represented by the writers who lived near that time: but she, seeing his hand to such a paper had reason to conclude herself lost. Yet by advice of one of her friends, she went to see the King, who, receiving her kindly, set on a discourse about religion. But she answered, "that women, by their first creation, were made subject to men; and they, being after the image of God, as the women were after their image, ought to instruct their wives, who were to learn of them: and she much more was to be taught by his Majesty, who was a prince of such excellent learning and wisdom." "Not so, by St. Mary," said the King, "you are become a doctor able to instruct us, and not to be instructed by us." To which she answered, "that it seemed he had much mistaken the freedom she had taken to argue with him, since she did it partly to engage him in discourse, and so put over the time, and

make him forget his pain; and partly to receive instructions from him, by which she had profited much." "And is it even so?" said the King, "then we are friends again." So he embraced her with great affection, and sent her away with very tender assurances of his constant love to her. But the next day had been appointed for carrying her and some of her ladies to the Tower. The day being fair, the King went to take a little air in the garden, and sent for her to bear him company. As they were together, the Lord Chancellor came in, having about forty of the guard with him, to have arrested the Queen. But the King stepped aside to him; and after a little discourse he was heard to call him knave, fool, and beast, and he bade him get him out of his sight. The innocent Queen, who understood not that her danger was so near, studied to mitigate the King's displeasure, and interceded for the Lord Chancellor. But the King told her, she had no reason to plead for him.

So this design miscarried; which, as it absolutely disheartened the papists, so it did totally alienate the King from them, and in particular from the Bishop of Winchester, whose sight he could never after this endure. But he made a humble submission to the King; which, though it preserved him from further punishment, yet could not restore him to the King's favour. But the Duke of Norfolk, and his son the Earl of Surrey, fell under a deeper misfortune. The Duke of Norfolk had been long lord treasurer of England: he had done great services to the crown on many signal occasions, and success had always accompanied him. His son, the Earl of Surrey, was also a brave and noble person: witty and learned to a high degree, but did not command armies with such success. He was much provoked at the Earl of Hartford's being sent over to France in his room; and upon that had said, "That within a little while they should smart for it;" with some other expressions that savoured of revenge, and a dislike of the King, and a hatred of the counsellors. The Duke of Norfolk had endeavoured to ally himself to the Earl of Hartford,

The causes of the Duke of Norfolk's disgrace.

and to his brother Sir Thomas Seymour, perceiving how much they were in the King's favour, and how great an interest they were like to have under the succeeding prince. And therefore would have engaged his son, being then a widower, to marry that Earl's daughter: and pressed his daughter the Duchess of Richmond, widow to the King's natural son, to marry Sir Thomas Seymour. But though the Earl of Surrey advised his sister to the marriage projected for her, yet he would not consent to that designed for himself, nor did the proposition about his sister take effect. The Seymours could not but see the enmity the Earl of Surrey bore them, and they might well be jealous of the greatness of that family; which was not only too big for a subject of itself, but was raised so high by the dependance of the whole popish party, both at home and abroad, that they were like to be very dangerous competitors for the chief government of affairs, if the King were once out of the way, whose disease was now growing so fast upon him, that he could not live many weeks. Nor is it unlikely that they persuaded the King, that, if the Earl of Surrey should marry the Lady Mary, it might embroil his son's government, and perhaps ruin him. And it was suggested, that he had some such high project in his thoughts, both by his continuing unmarried, and by his using the arms of Edward the Confessor, which of late he had given in his coat without a diminution. But to complete the Duke of Norfolk's ruin, his Duchess, who had complained of his using her ill, and had been separated from him about four years, turned informer against him. His son and daughter were also in ill terms together. So the sister informed all that she could against her brother. And one Mrs. Holland, for whom the Duke was believed to have an unlawful affection, discovered all she knew: but all amounted to no more than some passionate expressions of the son and some complaints of the father, who thought he was not beloved by the King and his counsellors, and that he was ill used in not being trusted with the secret of affairs. And all persons

being encouraged to bring informations against them, Sir Richard Southwell charged the Earl of Surrey in some points that were of a higher nature; which the Earl denied, and desired to be admitted, according to the martial law, to fight in his shirt with Southwell. But that not being granted, he and his father were committed to the Tower. That which was most insisted on was, their giving the arms of Edward the Confessor, which were only to be given by the kings of England. This the Earl of Surrey justified, and said, they gave their arms according to the opinion of the King's heralds. But all excuses availed nothing, for his father and he were designed to be destroyed upon reasons of state; for which some colours were to be found out.

1547 The Earl of Surrey executed.

The Earl of Surrey, being but a commoner, was brought to his trial at Guildhall, and put upon an inquest of commoners, consisting of nine knights and three esquires, by whom he was found guilty of treason, and had sentence of death passed upon him, which was executed on the 19th of January at Tower-Hill. It was generally condemned as an act of high injustice and severity, which loaded the Seymours with a popular odium, that they could never overcome. He was much pitied, being a man of great parts and high courage, with many other noble qualities.

The Duke's submission to the King.

But the King, who never hated nor ruined any body by halves, resolved to complete the misfortunes of that family by the attainder of the father. And as all his eminent services were now forgotten, so the submissions he made could not allay a displeasure that was only to be satisfied with his life and fortune. He wrote to the King, protesting his innocency: "that he had never a thought to his prejudice, and could not imagine what could be laid to his charge: he had spent his whole life in his service, and did not know that ever he had offended any person; or that any were displeased with him, except for prosecuting the breakers of the act about the sacrament of the altar. But in that, and in every thing else, as he had been always obedient to the King's laws, so he was resolved still to obey any laws he should make. He desired he

might be examined with his accusers face to face, before the King, or at least before his council; and if it did not appear that he was wrongfully accused, let him be punished as he deserved. In conclusion, he begged the King would have pity on him and restore him to his favour; taking all his lands, or goods from him, or as much of them as he pleased." Yet all this had no effect on the King. So he was desired to make a more formal submission; which he did on the 12th of January under his hand, ten privy-counsellors being witnesses. In it he confessed, "First, his discovering the secrets of the King's council. Secondly, his concealing his son's treason, in using to give the arms of St. Edward the Confessor, which did only belong to the King, and to which his son had no right. Thirdly, that he had, ever since his father's death, borne in the first quarter of his arms the arms of England, with a difference of the labels of silver, that are the proper arms of the Prince; which was done in prejudice of the King and the Prince; and gave occasion for disturbing or interrupting the succession to the crown of the realm. This he acknowledged was high treason; he confessed he deserved to be attainted of high treason, and humbly begged the King's mercy and compassion." He yielded to all this, hoping by such a submission and compliance to have overcome the King's displeasure; but his expectations failed him.

A parliament was called, the reason whereof was pretended to be the coronation of the Prince of Wales: but it was thought the true cause of calling it was to attaint the Duke of Norfolk; for which they had not colour enough to do it in a trial by his peers. Therefore an attainder by act of parliament was thought the better way. So it was moved, that the King, intending to crown his son Prince of Wales, desired they would go on with all possible haste in the attainder of the Duke of Norfolk; that so those places, which he held by patent, might be disposed of by the King to such as he thought fit, who should assist at the coronation. And upon this slight pretence, since a

The parliament meets.

better could not be found, the bill of attainder was read the first time on the 18th of January; and on the 19th and 20th it was read the second and third time: and so passed in the House of Lords; and was sent down to the Commons: who on the 24th sent it up also passed. On the 27th the Lords were ordered to be in their robes, that the royal assent might be given to it; which the Lord Chancellor, with some others joined in commission, did give by virtue of the King's letters-patents. And it had been executed the next morning, if the King's death had not prevented it. Upon what grounds this attainder was founded, I can only give this account from the thirty-fourth act of the first parliament of Queen Mary; in which this act is declared null and void by the common law of the land; for I cannot find the act itself upon record. In the act of repeal it is said, "that there was no special matter in the act of attainder, but only general words of treasons and conspiracies: and that, out of their care of the preservation of the King and the Prince they passed it. But the act of repeal says, also, that the only thing with which he was charged, was, for bearing of arms, which he and his ancestors had borne within and without the kingdom; both in the King's presence and in the sight of his progenitors; which they might lawfully bear and give, as by good and substantial matter of record it did appear. It is also added, that the King died after the date of the commission; that the King only empowered them to give his assent, but did not give it himself; and that it did not appear by any record, that they gave it. That the King did not sign the commission with his own hand, his stamp being only set to it; and that not to the upper but the nether part of it, contrary to the King's custom." All these particulars, though cleared afterwards, I mention now, because they give light to this matter.

The Duke of Norfolk attainted.

As soon as the act was passed, a warrant was sent to the Lieutenant of the Tower to cut off his head the next morning: but the King dying in the night, the Lieutenant could do nothing on that warrant. And it seems it was not thought advisable to begin the new

His death prevented by the King's

King's reign with such an odious execution. And thus the Duke of Norfolk escaped very narrowly. Both parties descanted on this differently. The conscientious papists said, it was God's just judgment on him (who had in all things followed the King's pleasure, oftentimes against his own conscience), that he should smart under that power which himself had helped so considerably to make it be raised so high. The protestants could not but observe a hand of God, in measuring out such a hard measure to him, that was so heavy on all those poor people that were questioned for heresy. But Cranmer's carriage in this matter was suitable to the other parts of his life; for he withdrew to Croydon, and would not so much as be present in parliament, when so unjust an act was passed; and his absence at this time was the more considerable, since the King was so dangerously ill, that it must be concluded it could be no slight cause that made him withdraw at such a time. But the Duke of Norfolk had been his constant enemy, therefore he would not so much as be near the public councils when so strange an act was passing.* But, at the same time, the Bishop of Winchester was officiously hanging on in the court: and though he was forbid to come to council, yet always, when the counsellors went into the King's bedchamber, he went with them to the door, to make the world believe he was still one of the number, and staying at the door till the rest came out he returned with them: but he was absolutely lost in the King's opinion. Fox.

The Emperor's designs against the protestants.

There is but one other step of foreign business in this reign; which was an embassy sent over by the Duke of Saxony, to let the King know of the league between the Pope and the Emperor, for the extirpation of heresy: and that the Emperor was making war on him, and the other princes: in pursuance of that league therefore he desired the King's assistance. But, at the same time, the Emperor did by his agents every

* This appears to be contradicted by the Journals of the House, which represent the Primate to have been present every time the Bill was read, as well as on the day on which it received the royal assent.

where disown that the war was made upon a religious account; and said it was only to maintain the rights of the empire, which those princes had affronted. So the King answered, that as soon as it did appear to him that religion was the cause of the war, he would assist them. But that which made this so involved was, that, though at Rome the Pope declared it was a holy war, and ordered prayers and processions to be made for success, yet the Emperor in all his declarations took no notice of religion: he had also divided the protestant party, so that some of them joined with him, and others were neutrals. And when, in Germany itself, this matter was so little understood, it was easy to abuse strangers by giving them a wrong account of it.

The King's sickness

The King was now overgrown with corpulency and fatness, so that he became more and more unweildy. He could not go up or down stairs, but as he was raised up or let down by an engine. And an old sore in his leg became very uneasy to him; so that all the humours in his body sinking down into his leg, he was much pained, and became exceeding froward and intractable, to which his inexcusable severity to the Duke of Norfolk and his son may be in a great measure imputed. His servants durst scarce speak to him, to put him in mind of his approaching end. And an act of parliament, which was made for the security of the King's life, had some words in it against the foretelling of his death, which made every one afraid to speak to him of it; lest he, in his angry and imperious humours, should have ordered them to be indicted upon that statute. But he felt nature declining apace, and so made the will that he had left behind him, at his last going into France, be written over again; with this only difference, that Gardiner, bishop of Winchester, whom he had appointed one of the executors of his will, and of the counsellors to his son till he came of age, was now left out: of which, when, Sir Anthony Brown put the King in mind, apprehending it was only an omission, he answered, that he knew Gardiner's temper well enough,

and though he could govern him, yet none of them would be able to do it, and that he would give them much trouble. And when Brown at another time repeated the motion to the King, he told him, if he spake more of that he would strike him out of his will too. The will was said to be signed the 30th of December. It is printed at large by Fuller, and the most material parts of it by Heylin. so I need say little of it, only the most signal clause in it was, that he excluded the line of Scotland out of the succession, and preferred the two daughters of the French Queen by Charles Brandon to them; and this leads me to discover several things concerning this will which have been hitherto unknown. I draw them from a letter written to Sir William Cecil, then secretary of state to Queen Elizabeth (afterwards Lord Burghley) by William Maitland, of Lethingtoun, secretary of state to the Queen of Scotland. This Maitland was accounted a man of the greatest parts of any in his nation at that time, though his treachery in turning over to the party that was against the Queen very much blemished his other qualities: but he expiated his fault by a real repentance, which appeared in his returning to his duty, and losing all afterwards in her quarrel. His letter will be found in the Collection. The substance and design of it is, to clear the right his mistress had to the crown of England, in case the Queen should die without heirs of her body. Therein, after he had answered other objections, he comes to this of the will. To it he says: "That, according to the act of parliament, the King's will was to be signed with his own hand; but this will was only signed by the stamp. Then the King never ordered the stamp to be put to it: he had been often desired to sign it, but had always put it off; but when they saw his death approaching, one William Clark, servant to Thomas Hennage, put the stamp to it, and some gentlemen that were waiting without were called in to sign it as witnesses. For this he appealed to the deposition of the Lord Paget, and desired the Marquis of Winchester and Northampton, the Earl

Collect. Numb 30.

His latter will a forgery

of Pembroke, Sir William Petre, Sir Henry Nevil, Sir Maurice Berkeley, Sir Anthony Denny, Doctor Buts, and some others, might be examined; and that their depositions might be entered in the Chancery. He also appealed to the original will, by which it would appear that it was not signed, but only stamped; and that not being according to the act of parliament, which in such extraordinary things must be strictly taken, the will was of no force." Thus it appears what vulgar errors pass upon the world: and though for seventy-five years the Scottish race has enjoyed the crown of England, and after so long a possession it is very superfluous to clear a title which is universally acknowledged, yet the reader will not be ill pleased to see how ill-grounded that pretence was, which some managed very seditiously during the reign of Queen Elizabeth, for excluding that line.

But if this will was not signed by the King, other grants were certainly made by him on his death-bed; one was to the city of London, of five hundred marks a-year for endowing an hospital, which was called Christ's Hospital; and he ordered the church of the Franciscans, a little within Newgate, to be opened, which he gave to the Hospital. this was done the 3d of January. Another was of Trinity College, in Cambridge, one of the noblest foundations in Christendom. He continued in a decay till the 27th of the month; and then many signs of his approaching end appearing, few would adventure on so unwelcome a thing as to put him in mind of his change, then imminent. but Sir Anthony Denny had the honesty and courage to do it, and desired him to prepare for death, and remember his former life, and to call on God for mercy through Jesus Christ. Upon which the King expressed his grief for the sins of his past life; yet he said he trusted in the mercies of Christ, which were greater than they were. Then Denny asked him, if any churchman should be sent for; and he said, if any, it should be Archbishop Cranmer: and after he had rested a little, finding his spirits decay apace he ordered him to be sent for to Croydon, where he was

then. But before he could come the King was speechless: so Cranmer desired him to give some sign of his dying in the faith of Christ, upon which he squeezed his hand and soon after died, after he had reigned thirty-seven years and nine months, in the six-and-fiftieth year of his age. His death was kept up three days; for the journals of the House of Lords shew, that they continued reading bills and going on in business till the 31st; and no sooner did the Lord Chancellor signify to them that the King was dead, and that the parliament was thereby dissolved. It is certain the parliament had no being after the King's breath was out; so their sitting till the 31st shews, that the King's death was not generally known all those three days. The reasons of concealing it so long, might either be, that they were considering what to do with the Duke of Norfolk, or that the Seymours were laying their matters so as to be secure in the government before they published the King's death. I shall not adventure on adding any further character of him, to that which is done with so much wit and judgment by the Lord Herbert, but shall refer the reader wholly to him; only adding an account of the blackest part of it, the attainders that passed the last thirteen years of his life; which are comprehended within this book, of which I have cast over the relation to the conclusion of it.

An account of the King's severities against the popish party

In the latter part of his reign there were many things that seem great severities, especially as they are represented by the writers of the Roman party, whose relations are not a little strengthened by the faint excuses and the mistaken accounts that most of the protestant historians have made. The King was naturally impetuous, and could not bear provocation, the times were very ticklish; his subjects were generally addicted to the old superstition, especially in the northern parts; the monks and friars were both numerous and wealthy; the Pope was his implacable enemy; the Emperor was a formidable Prince, and, being then master of all the Netherlands, had many advantages for the war he designed against England. Cardinal

Pole, his kinsman, was going over all the courts of Christendom to persuade a league against England; as being a thing of greater necessity and merit than a war against the Turk. This being, without the least aggravation, the state of affairs at that time, it must be confessed he was sore put to it; a superstition that was so blind and headstrong, and enemies that were both so powerful, so spiteful, and so industrious, made rigour necessary: nor is any general of an army more concerned to deal severely with spies and intelligencers, than he was to proceed against all the Pope's adherents, or such as kept correspondence with Pole. He had observed in history, that, upon much less provocation than himself had given, not only several emperors and foreign princes had been dispossessed of their dominions; but two of his ancestors, Henry the Second and King John, had been driven to great extremities, and forced to unusual and most indecent submissions, by the means of the popes and their clergy.

The Pope's power over the clergy was so absolute, and their dependence and obedience to him was so implicit; and the popish clergy had so great an interest in the superstitious multitude, whose consciences they governed; that nothing but a stronger passion could either tame the clergy or quiet the people. If there had been the least hope of impunity, the last part of his reign would have been one continued rebellion; therefore, to prevent a more profuse effusion of blood, it seemed necessary to execute laws severely in some particular instances.

There is one calumny that runs in a thread through all the historians of the popish side, which not a few of our own have ignorantly taken up, that many were put to death for not swearing the King's supremacy. It is an impudent falsehood; for not so much as one person suffered on that account; nor was there any law for any such oath before the parliament in the twenty-eighth year of the King's reign, when the unsufferable bull of Pope Paul the Third engaged him to look a little more to his own safety. Then, indeed,

in the oath for maintaining the succession of the crown, the subjects were required, under the pains of treason, to swear that the King was supreme head of the church of England; but that was not mentioned in the former oath that was made in the twenty-fifth, and enacted in the twenty-sixth year of his reign. It cannot but be confessed, that to enact, under pain of death, that none should deny the King's titles, and to proceed upon that against offenders, is a very different thing from forcing them to swear the King to be the supreme head of the church.

1535 Some Carthusians executed for denying the King's supremacy.

The first instance of these capital proceedings was in Easter Term, in the beginning of the twenty-seventh year of his reign. Three priors and a monk, of the Carthusian order, were then indicted of treason, for saying that the King was not supreme head under Christ of the church of England. These were John Houghton, prior of the Charter-house, near London; Augustin Webster, prior of Axholme; Robert Laurence, prior of Bevoll; and Richard Reynolds, a monk of Sion: this last was esteemed a learned man for that time and that order. They were tried in Westminster-hall, by a commission of Oyer and Terminer: they pleaded not guilty, but the jury found them guilty, and judgment was given that they should suffer as traitors. The record mentions no other particulars; but the writers of the popish side make a splendid recital of the courage and constancy they expressed both in their trial and at their death. It was no difficult thing for men so used to the legend, and the making of fine stories for the saints and martyrs of their orders, to dress up such narratives with much pomp. But as their pleading not guilty to the indictment shews no extraordinary resolution, so the account that is given by them of one Hall, a secular priest, that died with them, is so false, that there is good reason to suspect all. He is said to have suffered on the same account; but the record of his attainder gives a very different relation of it.

And Hall, a priest, for conspiring against the King.

He and Robert Feron were indicted, at the same time, for having said many spiteful and treasonable

things; as, "that the King was a tyrant, a heretic, a robber, and an adulterer; that they hoped he should die such a death as King John and Richard III. died; that they looked when those in Ireland and Wales should invade England; and they were assured that three parts of four in England would be against the King: they also said, that they should never live merrily till the King and the rulers were plucked by the pates and brought to the pot; and that it would never be well with the church till that was done." Hall had not only said this, but had also written it to Feron, the 10th of March that year. When they were brought to the bar, they at first pleaded not guilty; but full proof being brought, they themselves confessed the indictment, before the jury went aside, and put themselves on the King's mercy: upon which, this being an imagining and contriving both war against the King and the King's death, judgment was given as in cases of treason: but no mention being made of Feron's death, it seems he had his pardon. Hall suffered with the four Carthusians, who were hanged in their habits.

Three other monks executed.

They proceeded no further in Easter Term; but in Trinity Term there was another commission of Oyer and Terminer, by which Humphrey Middlemore, William Exmew, and Sebastian Nudigate, three monks of the Charter-house, near London, were indicted of treason, for having said, on the 25th of May, "that they neither could nor would consent to be obedient to the King's Highness, as true, lawful, and obedient subjects, to take him to be supreme head on earth of the church of England." They all pleaded not guilty, but were found guilty by the jury; and judgment was given. When they were condemned, they desired that they might receive the body of Christ before their death; but (as Judge Spelman wrote) the court would not grant it, since that was never done in such cases, but by order from the King. Two days after that, they were executed. Two other monks of that same order, John Rochester and James Wolver, suffered on the same account at York, in May this year.

Ten other Carthusian monks were shut up within their cells, where nine of them died; the tenth was hanged in the beginning of August. Concerning those persons, I find this said in some original letters, that they had brought over into England, and vented in it, some books that were written beyond sea, against the King's marriage, and his other proceedings, which, being found in their house, they were pressed to peruse the books that were written for the King, but obstinately refused to do it; they had also been involved in the business of the Maid of Kent; for which, though all the accomplices in it, except those who suffered for it, were pardoned by act of parliament, yet such as had been concerned in it were still under jealousy: and it is no wonder that, upon new provocations, they met with the uttermost rigour of the law.

Fisher's trial and death

These trials made way for two others that were more signal. of the Bishop of Rochester and Sir Thomas More. The first of these had been a prisoner above a year, and was very severely used: he complained in his letters to Cromwell, that he had neither clothes nor fire, being then about fourscore. This was understood at Rome; and upon it, Pope Clement, by an officious kindness to him, or rather in spite to King Henry, declared him a cardinal, and sent him a red hat. When the King knew this, he sent to examine him about it; but he protested he had used no endeavours to procure it, and valued it so little, that, if the hat were lying at his feet, he would not take it up. It never came nearer him than Picardy: yet this did precipitate his ruin. But if he had kept his opinion of the King's supremacy to himself, they could not have proceeded further. He would not do that, but did, upon several occasions, speak against it; so he was brought to his trial on the 17th of June. The Lord Chancellor, the Duke of Suffolk, and some other lords, together with the judges, sat upon him by a commission of Oyer and Terminer. He pleaded not guilty; but being found guilty, judgment was passed on him to die as a traitor; but he was, by a warrant

from the King, beheaded. Upon the 22d of June, being the day of his execution, he dressed himself with more than ordinary care; and when his man took notice of it, he told him he was to be that day a bridegroom. As he was led to the place of execution, being stopped in the way by the crowd, he opened his New Testament, and prayed to this purpose: that as that book had been his companion and chief comfort in his imprisonment, so then some place might turn up to him that might comfort him in his last passage. This being said, he opened the book at a venture, in which these words of St. John's Gospel turned up: "This is life eternal to know thee the only true God, and Jesus Christ whom thou hast sent." So he shut the book with much satisfaction, and all the way was repeating and meditating on them. When he came to the scaffold, he pronounced the *Te Deum;* and, after some other devotions, his head was cut off.

His character. Thus died John Fisher, bishop of Rochester, in the eightieth year of his age. He was a learned and devout man, but much addicted to the superstitions in which he had been bred up: and that led him to great severities against all that opposed them. He had been for many years confessor to the King's grandmother, the Countess of Richmond; and it was believed that he persuaded her to those noble designs for the advancement of learning, of founding two colleges in Cambridge, St. John's and Christ's College, and divinity professors in both universities: and, in acknowledgment of this, he was chosen Chancellor of the University of Cambridge. Henry VII. gave him the bishoprick of Rochester; which he, following the rule of the primitive church, would never change for a better; he used to say his church was his wife, and he would never part with her because she was poor. He continued in great favour with the King till the business of the divorce was set on foot; and then he adhered so firmly to the Queen's cause, and the Pope's supremacy, that he was carried by that headlong into great errors, as appears by the business of the Maid of Kent. Many thought the

King ought to have proceeded against him rather upon that, which was a point of state, than upon the supremacy, which was matter of conscience. But the King was resolved to let all his subjects see there was no mercy to be expected by any that denied his being supreme head of the church; and therefore made him and More two examples for terrifying the rest. This being much censured beyond sea, Gardiner, that was never wanting in the most servile compliances, wrote a vindication of the King's proceedings. The Lord Herbert had it in his hands, and tells us it was written in elegant Latin; but that he thought it too long, and others judged it was too vehement, to be inserted in his History.

More's trial and death

On the 1st of July, Sir Thomas More was brought to his trial. The special matter in his indictment is, that, on the 7th of May preceding, before Cromwell, Bedyl, and some others, that were pressing him concerning the King's supremacy, he said he would not meddle with any such matter, and was fully resolved to serve God, and think upon his passion, and his own passage out of this world. He had also sent divers messages by one George Gold to Fisher, to encourage him in his obstinacy; and said, "the act of parliament is like a sword with two edges; for if a man answer one way, it will confound his soul, and if he answer another way, it will confound his body." He had said the same thing on the 3d of June, in the hearing of the Lord Chancellor, the Duke of Norfolk, and others; and that he would not be the occasion of the shortening his own life. And when Rich, the King's solicitor, came to deal with him further about it, but protested that he came not with any authority to examine him, they discoursed the matter fully; Rich pressed him, "that, since the parliament had enacted that the King was supreme head, the subjects ought to agree to it; and, said Rich, what if the parliament should declare me King, would you not acknowledge me? I would, said More, *quia* (as it is in the indictment) *rex per parliamentum fieri potest, et per parliamentum deprivari:* but More turned the

argument on Rich, and said, what if the parliament made an act that God was not God? Rich acknowledged it could not bind; but replied to More, that since he would acknowledge him King, if he were made so by act of parliament, why would he not acknowledge the King supreme head, since it was enacted by parliament? To that More answered, that the parliament had power to make a king, and the people were bound to acknowledge him whom they made; but for the supremacy, though the parliament had enacted it, yet those in foreign parts had never assented to it." This was carried by Rich to the King; and all these particulars were laid together, and judged to amount to a denial of the supremacy. Judge Spelman wrote, that More, being on his trial, pleaded strongly against the statute that made it treason to deny the supremacy, and argued that the King could not be supreme head of the church. When he was brought to the bar, he pleaded not guilty; but being found guilty, judgment was given against him as a traitor. He received it with that equal temper of mind which he had shewed in both conditions of life, and then set himself wholly to prepare for death; he expressed great contempt of the world, and that he was weary of life, and longed for death; which was so little terrible to him, that his ordinary facetiousness remained with him even on the scaffold. It was censured by many as light and indecent; but others said, that way having been so natural to him on all other occasions, it was not at all affected; but shewed that death did no way discompose him, and could not so much as put him out of his ordinary humour: yet his rallying every thing on the scaffold was thought to have more of the stoic than the Christian in it. After some time spent in secret devotions, he was beheaded on the 6th of July.

His character. Thus did Sir Thomas More end his days, in the fifty-third year of his age.* He was a man of rare virtues and excellent parts. In his youth he had freer

* The year of Sir Thomas More's birth is uncertain. According to Erasmus, it was in the year 1479, some say 1480, and others 1484.

thoughts of things, as appears by his Utopia and his Letters to Erasmus; but afterwards he became superstitiously devoted to the interests and passions of the popish clergy: and as he served them when he was in authority, even to assist them in all their cruelties, so he employed his pen in the same cause, both in writing against all the new opinions in general, and, in particular, against Tindal, Frith, and Barnes; as also an unknown writer, who seemed of neither party, but reproved the corruptions of the clergy, and condemned their cruel proceedings. More was no divine at all; and it is plain to any that reads his writings, that he knew nothing of antiquity, beyond the quotations he found in the canon law, and in the master of the sentences (only he had read some of St. Austin's treatises); for, upon all points of controversy, he quotes only what he found in these collections: nor was he at all conversant in the critical learning upon the Scriptures; but his peculiar excellency in writing was, that he had a natural easy expression, and presented all the opinions of popery with their fair side to the reader, disguising or concealing the black side of them with great art; and was no less dexterous in exposing all the ill consequences that could follow on the doctrine of the reformers: and had, upon all occasions, great store of pleasant tales, which he applied wittily to his purpose. And in this consists the great strength of his writings, which were designed rather for the rabble than for learned men. But for justice, contempt of money, humility, and a true generosity of mind, he was an example to the age in which he lived.*

* The credit Burnet is disposed to give to Sir Thomas More, for "a true generosity of mind," is fairly enough questioned by Collier, and indeed what Burnet himself admits in this very page, namely, that when in *authority*, he assisted the *Popish Clergy* in all their *cruelties*, ought to have made him more guarded in his expressions. A letter he wrote to Erasmus on the death of Œcolampadius, would, one should think, be sufficient to destroy his claim to any *true* generosity of mind. Through an infatuation, that could not have got the better of a *truly generous mind*, he *gloried* in the death of that learned and amiable man, because he happened to be an Anti-Romanist,—and this, in a letter to Erasmus, who was under great obligations to Œcolampadius. After all, the bearings of religious infatuation are not to be accounted for, the Hindoos, who *encourage* the *Suttees*, or burning of wives in India, are still said to be "constitutionally kind-hearted." Bishop Heber's Journal —and Collier himself, vol. ii. 99. seems backward to attribute the severities of Sir Thomas to "any savage or sanguinary humour."—N.

But there is one thing unjustly added to the praise of these two great men, or rather feigned, on design to lessen the King's honour; that Fisher and he penned the book which the King wrote against Luther. This Sanders first published; and Bellarmin, and others, since have taken it up upon his authority. Strangers may be pardoned such errors; but they are inexcusable in an Englishman: for in More's printed works there is a letter written by him out of the Tower to Cromwell, in which he gives an account of his behaviour concerning the King's divorce and supremacy: among other particulars, one is, "that when the King shewed him his book against Luther, in which he had asserted the Pope's primacy to be of Divine right, More desired him to leave it out: since, as there had been many contests between popes and other princes, so there might fall in some between the Pope and the King. therefore he thought it was not fit for the King to publish any thing which might be afterwards made use of against himself, and advised him either to leave out that point, or to touch it very tenderly." But the King would not follow his counsel, being perhaps so fond of what he had wrote, that he would rather run himself upon a great inconvenience, than leave out any thing that he fancied so well written. This shews that More knew that book was written by the King's own pen;* and either Sanders never read this, or maliciously concealed it, lest it should discover his foul dealing.

These executions so terrified all people, that there were no further provocations given: and all persons either took the oaths, or did so dexterously conceal their opinions, that, till the rebellions of Lincolnshire and the north broke out, none suffered after this upon a public account. But when these were quieted, then

* But see the note above, p. 51, which seems to decide that Henry did *not* write the work, and that, upon the testimony of Sir Thomas More himself. It may however be observed, that at all events, the book was to pass for a book written by the King's own pen, and to be presented to the Pope as such. Nor should it be forgotten or overlooked, that the King in his answer to Luther, positively declared it to be his own, nor would it be difficult to prove, from papers still in existence, that with some help as to the Latin, he was theologian enough to have written such a work.—N.

the King resolved to make the chief authors and leaders of those commotions public examples to the rest. The Duke of Norfolk proceeded against many of them by martial law; there were also trials at common law of a great many more that were taken prisoners, and sent up to London. The Lords Darcy and Hussey were tried by their peers; the Marquis of Exeter sitting steward. And a commission of Oyer and Terminer being issued out for the trial of the rest, Sir Robert Constable, Sir John Bulmer and his Lady, Sir Francis Pigot, Sir Stephen Hamilton, and Sir Thomas Piercy, and Ask, that had been their captain; with the Abbots of Walley, Jerveux, Bridlington, Lenton, Woburn, and Kingstead, and Mackrall the monk, that first raised the Lincolnshire rebellion, with sixteen more, were indicted of high treason for the late rebellions. And after all the steps of the rebellion were reckoned up, it is added, in the indictment, that they had met together on the 17th of January, and consulted how to renew it, and prosecute it further, being encouraged by the new risings that were then in the north; by which they had forfeited all the favour to which they could have pretended, by virtue of the indemnity that was granted in the end of December, and of the pardons which they had taken out. They were all found guilty, and had judgment as in cases of treason; divers of them were carried down into Lincolnshire and Yorkshire, and executed in the places where their treasons were committed; but most of them suffered at London, and, among others, the Lady Bulmer (whom all others call Sir John Bulmer's harlot) was burnt for it in Smithfield.

Attainders after the rebellion was quieted

1537

The only censure that passed on this was, that advantages were taken on too slight grounds to break the King's indemnity and pardon; since it does not appear that, after their pardon, they did any thing more than meet and consult. But the kingdom was so shaken with that rebellion, that if it had not been for the great conduct of the Duke of Norfolk, the King had by all appearance lost his crown: and it will not seem strange that a King (especially so tempered as

Censures passed upon it

this was), had a mind to strike terror into the rest of his subjects by some signal examples, and to put out of the way the chief leaders of that design: nor was it to be wondered at, that the abbots and other clergymen, who had been so active in that commotion, were severely handled. It was by their means that the discontents were chiefly fomented; they had taken all the oaths that were enjoined them, and yet continued to be still practising against the state; which, as it was highly contrary to the peaceable doctrines of the Christian religion, so it was, in a special manner, contrary to the rules which they professed; that obliged them to forsake the world, and to follow a religious and spiritual course of life.

1538 Forrest's equivocation and heresy

The next example of justice was, a year after this, of one Forrest, an Observant friar; he had been, as Sanders says, confessor to Queen Katherine, but it seems departed from her interests; for he insinuated himself so into the King, that he recovered his good opinion. Being an ignorant and lewd man, he was accounted by the better sort of that house, to which he belonged in Greenwich, a reproach to their order (concerning this, I have seen a large account in an original letter, written by a brother of the same house). Having regained the King's good opinion, he put all those who had favoured the divorce under great fears, for he proceeded cruelly against them: and one Rainscroft, being suspected to have given secret intelligence of what was done among them, was shut up, and so hardly used, that he died in their hands, which was (as that letter relates) done by Friar Forrest's means. This Friar was found to have denied the King's supremacy: for though he himself had sworn it, yet he had infused it into many in confession, that the King was not the supreme head of the church. Being questioned for these practices, which were so contrary to the oath he had taken, he answered, "that he took that oath with his outward man, but his inward man had never consented to it." Being brought to his trial, and accused of several heretical opinions that he held, he submitted himself to the church.

Hall.

Upon this he had more freedom allowed him in the prison; but some coming to him diverted him from the submission he had offered; so that when the paper of abjuration was brought him, he refused to set his hand to it: upon which he was judged an obstinate heretic. The records of these proceedings are lost, but the books of that time say that he denied the gospel; it is like it was upon that pretence, that, without the determination of the church, it had no authority; upon which, several writers of the Roman communion have said indecent and scandalous things of the Holy Scriptures. He was brought to Smithfield, where were present the lords of the council, to offer him his pardon if he would abjure. Latimer made a sermon against his errors, and studied to persuade him to recant; but he continued in his former opinions, so he was put to death in a most severe manner. He was hanged in a chain about his middle, and the great image that was brought out of Wales was broken to pieces, and served for fuel to burn him. He shewed great unquietness of mind, and ended his life in an ungodly manner, as Hall says; who adds this character of him, "that he had little knowledge of God and his sincere truth, and less trust in him at his ending."

The proceedings against Cardinal Pole's friends

In winter that year a correspondence was discovered with Cardinal Pole, who was barefaced in his treasonable designs against the King. His brother, Sir Geofrey Pole, discovered the whole plot: for which the Marquis of Exeter (that was the King's cousin-german by his mother, who was Edward the Fourth's daughter), the Lord Montacute, the Cardinal's brother, Sir Geofrey Pole, and Sir Edward Nevill, were sent to the Tower in the beginning of November. They were accused for having maintained a correspondence with the Cardinal, and for expressing a hatred of the King, with a dislike of his proceedings, and a readiness to rise upon any good opportunity that might offer itself.

The special matter brought against the Lord Montacute and the Marquis of Exeter, who were tried by their peers on the 2d and 3d of December, in the

thirtieth year of this reign, is, " that whereas Cardinal Pole and others had cast off their allegiance to the King, and gone and submitted themselves to the Pope, the King's mortal enemy; the Lord Montacute did, on the 24th of July, in the twenty-eighth year of the King's reign, a few months before the rebellion broke out, say that he liked well the proceedings of his brother the Cardinal, but did not like the proceedings of the realm; and said, I trust to see a change of this world; I trust to have a fair day upon those knaves that rule about the King; and I trust to see a merry world one day." Words to the same purpose were also charged on the Marquis. The Lord Montacute further said, " I would I were over the sea with my brother, for this world will one day come to stripes; it must needs come to pass, and I fear we shall lack nothing so much as honest men. He also said, he had dreamed that the King was dead, and, though he was not yet dead, he would die suddenly; one day his leg will kill him, and then we shall have jolly stirring; saying, also, that he had never loved him from his childhood, and that Cardinal Wolsey would have been an honest man if he had had an honest master. And the King having said to the lords, he would leave them one day, having some apprehensions he might shortly die, that Lord said, if he will serve us so, we shall be happily rid; a time will come, I fear we shall not tarry the time, we shall do well enough. He had also said, he was sorry the Lord Abergavenny was dead, for he could have made ten thousand men; and for his part he would go and live in the west, where the Marquis of Exeter was strong: and had also said, upon the breaking of the northern rebellion, that the Lord Darcy played the fool, for he went to pluck away the council, but he should have begun with the head first; but I beshrew him for leaving off so soon." These were the words charged on those lords, as clear discoveries of their treasonable designs; and that they knew of the rebellion that brake out, and only intended to have kept it off to a fitter opportunity. They were also accused

of correspondence with Cardinal Pole, that was the King's declared enemy. Upon these points the lords pleaded not guilty, but were found guilty by their peers, and so judgment was given.

On the 4th of December were indicted, Sir Geofrey Pole, for holding correspondence with his brother the Cardinal, and saying that he approved of his proceedings, but not of the King's; Sir Edward Nevill, brother to the Lord Abergavenny, for saying the King was a beast, and worse than a beast; George Crofts, chancellor of the cathedral of Chichester, for saying the King was not, but the Pope was, the supreme head of the church; and John Collins, for saying the King would hang in hell one day for the plucking down of abbeys. All those (Sir Edward Nevill only excepted) pleaded guilty, and so they were condemned: but Sir Geofrey Pole, was the only person of the number that was not executed, for he had discovered the matter. At the same time, also, Cardinal Pole, Michael Throgmorton, gentleman, John Hilliard, and Thomas Goldwell, clerks, and William Peyto;* a Franciscan of the Observance, were attainted in absence, because they had cast off their duty to the King, and had subjected themselves to the Bishop of Rome, Pole being made cardinal by him; and for writing treasonable letters, and sending them into England. On the 4th of February following, Sir Nicholas Carew, that was both master of the horse and knight of the garter, was arraigned for being an adherent to the Marquis of Exeter; and, having spoke of his attainder as unjust and cruel, he was also attainted and executed upon the 3d of March. When he was brought to the scaffold, he openly acknowledged the errors and superstition in which he had formerly lived, and blessed God for his imprisonment; "for he then began to relish the life and sweetness of God's holy word, which was brought him by

* Thuanus calls him William, and says he was *Loci Ignobilis*, but his true name, by which he was made cardinal, was Peter whether he was so christened, or assumed it only when he became a friar, is not certain. He was descended from an ancient and eminent family in Warwickshire.

his keeper, one Phillips, who followed the Reformation, and had formerly suffered for it."

1539 Some attainders without hearing the parties

After these executions, followed the parliament in the year 1539, in which not only these attainders that were already passed were confirmed, but new ones of a strange and unheard-of nature were enacted. It is a blemish never to be washed off, and which cannot be enough condemned, and was a breach of the most sacred and unalterable rules of justice, which is capable of no excuse. It was, the attainting of some persons whom they held in custody without bringing them to a trial. Concerning which, I shall add what the great Lord Chief Justice Coke writes: "Although I question not the power of the parliament, for without question the attainder stands of force in law, yet this I say of the manner of proceeding, *auferat oblivio, si potest, si non utcumque silentium tegat.* For the more high and absolute the jurisdiction of the court is, the more just and honourable it ought to be in the proceedings, and to give example of justice to inferior courts." The chief of these were the Marchioness of Exeter, and the Countess of Sarum. The special matter charged on the former is, her confederating herself to Sir Nicholas Carew in his treasons; to which is added, "that she had committed divers other abominable treasons." The latter is said "to have confederated herself with her son the Cardinal," with other aggravating words. It does not appear by the Journal that any witnesses were examined; only that day that the bills were read the third time in the House of Lords, Cromwell shewed them a coat of white silk, which the Lord Admiral had found among the Countess of Sarum's clothes, in which the arms of England were wrought on the one side, and the standard that was carried before the rebels was on the other side. This was brought as an evidence that she approved of the rebellion. Three Irish priests were also attainted for carrying letters out of Ireland to the Pope and Cardinal Pole; as also Sir Adrian Fortescue, for endeavouring to raise rebellion; Thomas Dingley, a knight of St. John of Jerusalem, and

4 Instit. 37, 38.

Robert Granceter, merchant, for going to several foreign princes, and persuading them to make war upon the King, and assist the Lords Darcy and Hussey in the rebellion they had raised. Two gentlemen, a Dominican friar and a yeoman, were, by the same act, attainted for saying that "that venemous serpent, the Bishop of Rome, was supreme head of the church of England." Another gentleman, two priests, and a yeoman were attainted for treason in general, no particular crime being specified. Thus sixteen persons were in this manner attainted; and if there was any examination of witnesses for convicting them, it was either in the star-chamber or before the privy-council; for there is no mention of any evidence that was brought in the Journals. There was also much haste made in the passing this bill; it being brought in the 10th of May, was read that day for the first and second time, and the 11th of May for the third time. The Commons kept it five days before they sent it back, and added some more to those that were in the bill at first; but how many were named in the bill originally, and how many were afterwards added, cannot be known. Fortescue and Dingley suffered the 10th of July. As for the Countess of Sarum, the Lord Herbert saw in a record, that bulls from the Pope were found in her house; "that she kept correspondence with her son, and that she forbid her tenants to have the New Testament in English, or any of the books that had been published by the King's authority." She was then about seventy years of age, but shewed, by the answers she made, that she had a vigorous and masculine mind. She was kept two years prisoner in the Tower, after the act had passed; the King, by that reprieve, designing to oblige her son to a better behaviour; but, upon a fresh provocation, by a new rebellion in the north, she was beheaded, and in her the name and line of Plantagenet determined. The Marchioness of Exeter died a natural death. In November this year were the Abbots of Glastenbury and Colchester attainted of treason; of which mention was made formerly.

1549. In the parliament that sat in the year 1540, they went on to follow that strange precedent which they had made the former year. By the fifty-sixth act, Giles Heron was attainted of treason, no special matter being mentioned.

By the fifty-seventh act, Richard Fetherstoun, Thomas Abell, and Edward Powel, priests, and William Horn, a yeoman, were attainted, for denying the King's supremacy, and adhering to the Bishop of Rome: by the same act, the wife of one Tirrell, esquire, was attainted for refusing her duty of allegiance, and denying Prince Edward to be prince and heir of the crown: and one Laurence Cook, of Doncaster, was also attainted for contriving the King's death.

By the fifty-eighth act, Gregory Buttolph, Adam Damplip, and Edward Brindeholm, clerks, and Clement Philpot, gentleman, were attainted for adhering to the Bishop of Rome, for corresponding with Cardinal Pole, and endeavouring to surprise the town of Calais; by the same act, Barnes, Gerrard, and Jerome were attainted; of whose sufferings an account has been already given.

By the fifty-ninth act, William Bird, a priest, and chaplain to the Lord Hungerford, was attainted for having said to one that was going to assist the King against the rebels in the north, "I am sorry thou goest; seest thou not how the King plucketh down images and abbeys every day? And if the King go thither himself, he will never come home again, nor any of them all which go with him, and in truth it were pity he should ever come home again. And at another time, upon one's saying, 'O good Lord, I ween all the world will be heretics in a little time;' Bird said, 'Dost thou marvel at that? I tell thee it is no marvel, for the great master of all is a heretic, and such an one, as there is not his like in the world.'"

By the same act, the Lord Hungerford was likewise attainted. The crimes specified are, "that he, knowing Bird to be a traitor, did entertain him in his house as his chaplain; that he ordered another of his chaplains, Sir Hugh Wood, and one Doctor Maudlin, to

use conjuring, that they might know how long the King should live, and whether he should be victorious over his enemies or not: and that these three years last past he had frequently committed the detestable sin of sodomy with several of his servants:" all these were attainted by that parliament. The Lord Hungerford was executed the same day with Cromwell; he died in such disorder, that some thought he was frantic; for he called often to the executioner to dispatch him, and said he was weary of life and longed to be dead; which seemed strange in a man that had so little cause to hope in his death. For Powel, Fetherstoun, and Abell, they suffered the same day with Barnes and his friends, as hath been already shewn.

This year Sampson, bishop of Chichester, and one Doctor Wilson, were put in the Tower, upon suspicion of correspondence with the Pope. But upon their submission, they had their pardon and liberty. In the year 1541, five priests and ten secular persons, 1541
some of them being gentlemen of quality, were raising a new rebellion in Yorkshire; which was suppressed in time, and the promoters of it, being apprehended, were attainted and executed; and this occasioned the death of the Countess of Sarum, after the execution of the sentence had been delayed almost two years.

The last instance of the King's severity was in the 1543.
year 1543, in which one Gardiner, that was the bishop of Winchester's kinsman and secretary, and three other priests, were tried for denying the King's supremacy, and for which Gardiner was executed. But what special matter was laid to the charge of the others cannot be known, for the record of their attainder is lost.

These were the proceedings of this King against The conclusion.
those that adhered to the interests of Rome; in which, though there is great ground for just censure, for as the laws were rigorous, so the execution of them was raised to the highest that the law could admit; yet there is nothing in them to justify all the clamours

which that party have raised against King Henry, and by which they pursue his memory to this day; and are far short, both in number and degrees, of the cruelties of Queen Mary's reign, which yet they endeavour all that is possible to extenuate or deny.

To conclude: we have now gone through the reign of King Henry the Eighth, who is rather to be reckoned among the great, than the good princes. He exercised so much severity on men of both persuasions, that the writers of both sides have laid open his faults, and taxed his cruelty. But as neither of them were much obliged to him, so none have taken so much care to set forth his good qualities, as his enemies have done to enlarge on his vices: I do not deny that he is to be numbered among the ill princes yet I cannot rank him with the worst.

END OF BOOK III

ADDENDA.

After some of the sheets of this history were wrought off, I met with manuscripts of great authority, out of which I have collected several particulars, that give a clear light to the proceedings in those times; which, since they came too late to my knowledge to be put in their proper places, I shall here add them, with references to the places to which they belong.

Ad pag. 350. *lin.* 28.

THE articles of religion, of which an abstract is there set down, are indeed published by Fuller: but he saw not the original with all the subscriptions to it, which I have had in my hands; and therefore I have put it in the Collection, with three other papers, which were soon after offered to the King by Cranmer. Collect Addenda, Numb 1

The one is in the form of fifteen queries, concerning some abuses by which the people had been deceived; as, namely, by these doctrines: that without contrition sinners may be reconciled to God; that it is in the power of the priest to pardon or not to pardon sin at his pleasure; and that God's pardon cannot be obtained without priestly absolution. Also he complained that the people trusted to outward ceremonies; and their curates, for their own gain, encouraged them in it. It was observed, that the opinion of clergymen's being exempted from the secular judge was ill-grounded; that bishops did ordain without due care and trial; that the dignified clergy misapplied their revenues, did not follow their first institution, and did not reside upon their benefices. Collect Addenda, Numb 2

And, in fine, he moves that the four sacraments, which had been left undetermined by the former Articles, might be examined: the outward signs and actions, the promises made upon them, and the efficacy that was in them, being well considered.

The second paper consists of two resolutions made concerning confirmation by the Archbishop of Can- Collect Addenda. Numb. 3.

terbury, and Stokesley, bishop of London. There are several other papers concerning confirmation, but these are only subscribed; and the rest do generally follow these two prelates, who were then the heads of two different parties. The Archbishop went on this ground, that all things were to be tried by the Scripture; but Stokesley, and almost the whole clergy, were for receiving the tradition of the church, as not much inferior to the Scriptures; which he asserts in his subscription.

Collect. Addenda, Numb 4.

The third paper was offered to the King by Cranmer, to persuade him to proceed to a further reformation; that things might be long and well considered before they were determined; that nothing might be declared a part of God's faith, without good proofs from Scripture; the departing from which rule had been the occasion of all the errors that had been in the church; that now men would not be led as they had been, but would examine matters; that many things were now acknowledged to be truths, such as the unlawfulness of the Pope's usurped power, for which many had formerly suffered death. Whereupon he desires that some points might be examined by Scripture; as, whether there is a purgatory; whether departed souls ought to be invocated; whether tradition ought to be believed; whether there be any satisfaction besides the satisfaction of Christ; whether free will may dispose itself to grace; and whether images ought to be kissed, or used to any other end, but as representations of a piece of history? In all these he desired the King would suspend his judgment; and, in particular, that he would not determine against the lawfulness of the marriage of the clergy, but would for some time silence both parties. He also proposed that this point might, by order from the King, be examined in the Universities before indifferent judges: that all the arguments against it might be given to the defenders twelve days before the public disputation; and he offered, that if those who should defend the lawfulness of priests' marriage, were, in the opinion of indifferent judges, overcome, they should willingly

suffer death for it; but if otherwise, all they desired was, that, in that point, the King might leave them in the liberty to which the word of God left them.

Ad pag. 400. *lin.* 38.

I have seen a much fuller paper concerning orders and ecclesiastical functions (which the reader will find in the Collection) signed by Cromwell, the two Archbishops, and eleven bishops, and twenty divines and canonists, declaring, that the power of the keys, and other church-functions, is formally distinct from the power of the sword: that this power is not absolute, but to be limited by the rules that are in the Scripture: and is ordained only for the edification and good of the church: that this power ought to be still preserved, since it was given by Christ as the mean of reconciling sinners to God. Orders were also declared a sacrament, since they consisted of outward action instituted by Christ, and an inward grace conferred with them: but that all inferior orders, janitors, lectors, &c. were brought into the church to beautify and adorn it, and were taken from the temple of the Jews: and that in the New Testament there is no mention made but of deacons or ministers, and priests or bishops: nor is there belonging to orders any other ceremony mentioned in the Scripture but prayer and imposition of hands. This was signed either in the year 1537 or 1538; since it is subscribed both by John Hilsey, bishop of Rochester, and Edward Fox, bishop of Hereford; for the one was consecrated in 1537, and the other died in May, 1538. Collect. Addenda, Numb 8.

On this paper I will add two remarks: the one is, that after this I do never find the inferior degrees under a deacon mentioned in this church; so it seems, at this time, they were laid aside. They were first set up in the church about the end of the second, or the beginning of the third century, in the middle of which we find both Cornelius, bishop of Rome, and St. Cyprian mentioning them as orders that were then established; and it seems they were designed as previous steps to the sacred functions, that none might

be ordained to these, but such as had been long before separated from a secular state of life, and had given proofs of themselves in these lower degrees. But it turned in the church of Rome to be only a matter of form; and many took the first tonsure, that they might be exempted from the secular power, and be qualified for commendams, and some other worldly advantages, to which these lower orders were sufficient, by those rules which the canonists had brought in.

Another thing is, that both in this writing, and in the Necessary Erudition of a Christian Man, bishops and priests are spoken of as one and the same office. In the ancient church they knew none of those subtilties which were found out in the latter ages. It was then thought enough that a bishop was to be dedicated to his function by a new imposition of hands, and that several offices could not be performed without bishops, such as ordination, confirmation, &c. but they did not refine in these matters so much as to inquire, whether bishops and priests differed in order and office, or only in degree. But after the schoolmen fell to examine matters of divinity with logical and unintelligible niceties, and the canonists began to comment upon the rules of the ancient church, they studied to make bishops and priests seem very near one another, so that the difference was but small.* They did it with different designs: the schoolmen, having set up the grand mystery of transubstantiation, were to exalt the priestly office as much as was possible: for the turning the host into God was so great an action, that they reckoned there could be no office higher than that which qualified a man to so mighty a performance: therefore, as they changed the form of ordination from what it was anciently believed to consist in, to a delivering of the sacred vessels, and

* Though most of the schoolmen asserted bishops and priests to be of the same order, for the reason here specified, their being equally appointed to the consecration of the eucharist, which they thought to be the highest, and most perfect function, yet they allowed the bishops a superiority of jurisdiction, which some of them were content to call a superior order; as the canonists did also generally, notwithstanding their endeavours to depress the episcopal authority for the advancement of the papal.

held that a priest had his orders by that rite, and not by the imposition of hands; so they raised their order or office so high, as to make it equal with the order of a bishop: but as they designed to extol the order of priesthood, so the canonists had a great mind to depress the episcopal order. They generally wrote for preferment, and the way to it was to exalt the papacy. Nothing could do that so effectually as to bring down the power of bishops. This only could justify the exemptions of the monks and friars, the popes setting up legantine courts, and receving at first appeals, and then original causes before them; together with many other encroachments on their jurisdiction: all which were unlawful, if the bishops had, by Divine right, jurisdiction in their dioceses: therefore it was necessary to lay them as low as could be, and to make them think that the power they held was rather as delegates of the apostolic see, than by a commission from Christ or his apostles: so that they looked on the declaring episcopal authority to be of Divine right, as a blow that would be fatal to the court of Rome; and therefore they did after this, at Trent, use all possible endeavours to hinder any such decision. It having been then the common style of that age to reckon bishops and priests as the same office, it is no wonder if at this time the clergy of this church, the greatest part of them being still leavened with old superstition, and the rest of them not having enough of spare time to examine lesser matters, retained still the former phrases in this particular.

On this I have insisted the more, that it may appear how little they have considered things, who are so far carried with their zeal against the established government of this church, as to make much use of some passages of the schoolmen and canonists that deny them to be distinct offices: for these are the very dregs of popery; the one raising the priests higher for the sake of transubstantiation, the other pulling the bishops lower for the sake of the Pope's supremacy, and by such means bringing them almost to an equality. So partial are some men to their particular

conceits, that they make use of the most mischievous topics when they can serve their turn, not considering how much further these arguments will run if they ever admit them.

Ad pag. 410. *lin.* 34.

The princes of Germany did always press the King to enter into a religious league with them: the first league that was made in the year 1536, was conceived in general terms against the Pope, as the common enemy, and for setting up true religion according to the gospel: but they did afterwards send over ambassadors to treat about particulars; and they having presented a memorial of these, there were conferences appointed between them and some bishops and divines of this church. I find no divines were sent over hither but Frederick Miconius, minister of Gotha, by whom Melancthon, who could not be spared out of Germany, sent several letters to the King; the fullest and longest of them will be found in the Collection. It is all to this purpose; to persuade the King to go on vigorously in the reforming of abuses, according to the word of God. The King sent over the particulars which they proposed, in order to a perfect agreement, to Gardiner, who was then at Paris: upon which he sent back his opinion, touching them all; the original of which, under his own hand, I have seen, but it relates so much to the other paper that was sent him, which I never saw, that without it his meaning can hardly be understood; and therefore I have not put it in the Collection. The main thing in it, at which it chiefly drives, is to press the King to finish first a civil league with them, and to leave those particulars concerning religion to be afterwards treated of. The King followed his advice so far as to write to the German princes to that effect. But when the King declared his resolution to have the six Articles established, all that favoured the Reformation were much alarmed at it, and pressed their friends in Germany to interpose with the King for preventing it. I have seen an original letter of Hains, dean of Exeter,

Collect Addenda, Numb. 6

in which he laments the sad effects that would follow on that act, which was then preparing; that all the corruptions in the church rose from the establishing some points without clear proofs from Scripture: he wished the Germans would consider of it, for if the King and parliament should make such a law, this was a precedent for the Emperor to make the like in the diet of the empire. Neither were the German ambassadors backward in doing their friends in England all the service they could: for, after they had held several conferences with those that were appointed by the King to treat with them, they, finding they could not prevail with them, wrote a long and learned letter to the King, against the taking away the chalice in the sacrament, and against private masses and the celibate of the clergy, with some other abuses, which the reader will find in the Collection, as it is copied from the original, which I have seen. To this I have added the answer which the King wrote to it: he employed Tonstal, bishop of Duresme, to draw it; for I have seen a rude draught of a great part of it written with his hand. By both these compared together, every indifferent reader will clearly see the force and simplicity of the arguments on the one hand, and the art and shuffling that was used on the other side. As soon as the act was passed, notwithstanding all their endeavours to the contrary, they, in an audience before the King, represented the great concern their masters would have, when the King, on whom they had relied so much as the defender of the faith, should proceed with the severity expressed in that act, against those that agreed with him in doctrine, and pressed the King earnestly to put a stop to the execution of it. The King promised he would see to it, and that though he judged the act necessary to restrain the insolence of some of his subjects, yet it should not be executed but upon great provocation: he also proposed the renewing a civil league with them, without mentioning matters of religion. To this the princes made answer, that the league, as it was at first projected, was chiefly

Collect. Addenda, Numb 7.

Collect Addenda, Numb 8.

upon a design of religion; and therefore, without a common consent of all that were in their league, they could not alter it: they lamented this passing of the late act, but wrote their thanks to the King for stopping the execution of it, and warned him that some of his bishops, who set him on to these courses, were in their hearts still for all the old abuses, and for the Pope's supremacy, and were pressing on the King to be severe against his best subjects, that they might thereby bring on a design which they could not hope to effect any other way: they advised the King to beware of such counsels. They also proposed, that there might be a conference agreed on between such divines as the King would name, and such as they should depute, to meet either in Gueldres, Hamburgh, Bremen, or any other place that should be appointed by the King, to examine the lawfulness of private masses, of denying the chalice, and the prohibiting the marriage of the clergy. On these things they continued treating till the divorce of Anne of Cleves, and Cromwell's fall; after which I find little correspondence between the King and them.

Ad pag. 411. *lin.* 29.

Collect. Addenda, Numb. 9

When I mentioned the King's letters, directing the bishops how to proceed in a reformation, I had not seen them; but I have since seen an original of them subscribed by the King's hand. In these he challenged the clergy as guilty of great indiscretions: that the late rebellion had been occasioned by them; therefore he required the bishops to take care that the Articles formerly published should be exactly obeyed; and to go over their dioceses in person, and preach obedience to the laws, and the good ends of those ceremonies that were then retained, that the people might neither despise them, nor put too much trust in them: and to silence all disputes and contentions concerning things indifferent; and to signify to the King's council, if there were any priests in their dioceses that were married, and yet did discharge any part of the priestly office. All which

will be better understood by the letter itself, that I have put into the Collection.

Ad pag. 414. *lin.* 40.

I do there acknowledge, that I knew not what arguments were used against the necessity of auricular confession: but I have made, since that time, a considerable discovery in this particular, from an original letter written all with the King's own hand to Tonstal; by which it appears, there had been conferences in the House, and that the Archbishop of York, the Bishop of Winchester, and Duresme, had pleaded much for it, as necessary by a Divine institution; and that both the King and the Archbishop of Canterbury had maintained, that though it was good and profitable, yet it was not necessary by any precept of the gospel: and that though the bishops brought several texts out of Scripture and ancient doctors, yet these were so clearly answered by the King and the Archbishop, that the whole House was satisfied with it: yet Tonstal drew up in a writing all the reasons he had made use of in that debate, and brought them to the King, which will be found in the Collection, with the annotations and reflections which the King wrote on the margin, with his own hand, taken from the original; together with the King's letters written in answer to them: by this it will appear that the King did set himself much to study points of divinity, and examined matters with a scrupulous exactness. The issue of the debate was, that though the popish party endeavoured to have got auricular confession declared to be commanded by Christ, as a part of the sacrament of penance, yet the King overruled that; so it was enacted, "that auricular confession was necessary and expedient to be retained in the church of God." These debates were in the House of Lords, which appears not only by the King's letter, that speaks of the House, but by the act of parliament; in the preamble of which it is said, that the King had come himself to the parliament, and had opened several points of high learning to them.

Collect Addenda, Numb 10.

Collect Addenda, Numb 11.

Ad pag. 421. *lin.* 36.

There I mention the King's diligence in drawing an act of parliament with his own hand; but since that was printed, I have seen many other acts and papers, if not originally penned by the King, yet so much altered by his corrections, that in some sort they may be esteemed his draughts. There are two draughts of the act of the six Articles, both corrected in many places by the King; and in some of these the correction is three lines long. There is another act concerning pre-contracts of marriage, likewise corrected very much by his pen. Many draughts of proclamations, particularly those about the use of the Bible in English, are yet extant, interlined and altered with his pen. There is a large paper written by Tonstal, of arguments for purgatory, with copious animadversions on it, likewise written by the King; which shew that then he did not believe there was a purgatory. I have also seen the draught of that part of the Necessary Erudition for a Christian Man, which explains the Creed, full of corrections with the King's own pen; as also the queries concerning the sacraments, mentioned page 464, with large annotations written with his hand on the margin; likewise an extract, all written with his own hand, of passages out of the fathers against the marriage of the clergy; and, to conclude, there is a paper, with which the Collection ends, containing the true notion of the catholic church, which has large emendations added with the King's hand; those I have set by themselves on the margin of the paper.

ollect. ddenda, umb 12.

END OF VOL. I.

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